

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JACQUES RIVERA,)
Plaintiff,) Case No. 12 C 4428
v.) Hon. Joan B. Gottschall,
REYNALDO GUEVARA, et al.,) District Judge
Defendants.) Hon. Mary M. Rowland,
) Magistrate Judge
) JURY TRIAL DEMANDED

**PLAINTIFFS' CONSOLIDATED RESPONSE IN
OPPOSITION TO DEFENDANTS' SUMMARY JUDGMENT MOTIONS**

EXHIBIT 6A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
~~~~~  
JACQUES RIVERA,  
Plaintiff,  
vs. Case No. 12 CV 4428  
REYNALDO GUEVARA, et al.,  
Defendants.  
~~~~~

Videotaped Deposition of
ORLANDO LOPEZ

May 29, 2013
11:03 a.m.
Taken at:
Rennillo Deposition & Discovery
Erieview Tower
1301 East 9th Street, Suite 100
Cleveland, Ohio
Toni DiNardo, RPR

1 APPEARANCES:
2
3 On behalf of the Defendants Reynaldo
4 Guevara; Steve Gawrys; Joseph Fallon;
5 Joseph Sparks; Paul Zacharias; Edward
6 Mingey and Russell Weingart; John
7 Leonard; Gillian McLaughlin; Daniel Noon;
8 John Guzman and Rocco Rinaldi:
9 The Sotos Law Firm, P.C., by
10 JEFFREY N. GIVEN, ESQ.
11 550 E. Devon
12 Suite 150
13 Itasca, Illinois 60143
14 630-735-3300
15 jgiven@jsotolaw.com.com
16
17 On behalf of the Defendant City of
18 Chicago:
19 Rock, Fusco & Connelly, LLC, by
20 EILEEN E. ROSEN, ESQ.
21 321 North Clark Street
22 Suite 2200
23 Chicago, Illinois 60654
24 312-494-1000
25 erosen@rockfuscoconnelly.com

3

1 APPEARANCES:
2
3 On behalf of the Plaintiff:
4 Northwestern Law, Bluhm Legal
5 Clinic, by
6 LOCKE E. BOWMAN, ESQ.
7 375 East Chicago Avenue
8 Chicago, Illinois 60611
9 312-503-0844
10 l-bowman@law.northwestern.edu
11
12

13 On behalf of the Plaintiff:
14 Loevy & Loevy, by
15 ANAND SWAMINATHAN, ESQ.
16 312 North May Street
17 Suite 100
18 Chicago, Illinois 60607
19 312-243-5900
20 anand@loevy.com
21
22
23
24
25

1 APPEARANCES:
2 On behalf of Orlando Lopez:
3 Grange Insurance, by
4 STEPHANIE D. ADAMS, ESQ.
5 610 S. Front Street
6 Columbus, Ohio 43215
7 614-449-5993
8 adamssd@grangeinsurance.com
9
10 ALSO PRESENT: Jeff Koisher, Videographer
11
12

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2

4

1 (Pages 1 to 4)

| TRANSCRIPT INDEX |                                      | INDEX OF VIDEO OBJECTION |      |
|------------------|--------------------------------------|--------------------------|------|
|                  |                                      | OBJECT                   | PAGE |
| 3                | APPEARANCES.....                     | objection.....           | 15   |
| 4                |                                      | object.....              | 25   |
| 5                | INDEX OF EXHIBITS .....              | objection.....           | 31   |
| 6                |                                      | objection.....           | 31   |
| 7                |                                      | objection.....           | 42   |
| 8                | EXAMINATION OF ORLANDO LOPEZ         | objection.....           | 66   |
| 9                | By Mr. Bowman.....                   | objection.....           | 71   |
| 10               | By Ms. Rosen.....                    | objection.....           | 79   |
| 11               | By Mr. Given.....                    | objection.....           | 82   |
| 12               |                                      | objection.....           | 83   |
| 13               | REPORTER'S CERTIFICATE.....          | objection.....           | 83   |
| 14               |                                      | object.....              | 84   |
| 15               | EXHIBIT CUSTODY                      | object.....              | 84   |
| 16               | EXHIBITS RETAINED BY ATTORNEY BOWMAN | objection.....           | 85   |
| 17               |                                      | object.....              | 86   |
| 18               |                                      | objection.....           | 87   |
| 19               |                                      | objection.....           | 87   |
| 20               |                                      | objection.....           | 87   |
| 21               |                                      | objection.....           | 90   |
| 22               |                                      | objection.....           | 94   |
| 23               |                                      | objection.....           | 96   |
| 24               |                                      | objection.....           | 100  |
| 25               |                                      | objection.....           | 100  |

5

7

| INDEX OF EXHIBITS |                             |        |                    |
|-------------------|-----------------------------|--------|--------------------|
| NUMBER            | DESCRIPTION                 | MARKED |                    |
| 3                 | Exhibit 29 Affidavit.....   | 15     | objection..... 100 |
| 4                 | Exhibit 30 Transcript.....  | 16     | objection..... 106 |
| 5                 | Exhibit 31 Google Map.....  | 33     | objection..... 108 |
| 6                 | Exhibit 32 Photograph.....  | 41     | objection..... 109 |
| 7                 | Exhibit 33 Photograph.....  | 44     | objection..... 111 |
| 8                 | Exhibit 34 Photograph.....  | 48     | objection..... 111 |
| 9                 | Exhibit 35 Photograph.....  | 52     | objection..... 112 |
| 10                | Exhibit 36 Photograph.....  | 140    | objection..... 115 |
| 11                | Exhibit 37 Report.....      | 151    | objection..... 115 |
| 12                | Exhibit 38 Bench Trial..... | 174    | objection..... 116 |
| 13                |                             |        | objection..... 117 |
| 14                |                             |        | objection..... 117 |
| 15                |                             |        | objection..... 118 |
| 16                |                             |        | objection..... 118 |
| 17                |                             |        | object..... 143    |
| 18                |                             |        | object..... 150    |
| 19                |                             |        | object..... 152    |
| 20                |                             |        | object..... 154    |
| 21                |                             |        | objection..... 155 |
| 22                |                             |        | objection..... 155 |
| 23                |                             |        | objection..... 159 |
| 24                |                             |        | objection..... 173 |
| 25                |                             |        | objection..... 176 |

6

8

2 (Pages 5 to 8)

|   |                |     |
|---|----------------|-----|
| 1 | objection..... | 178 |
| 2 | objection..... | 178 |
| 3 | objection..... | 179 |
| 4 | objection..... | 180 |
| 5 | objection..... | 180 |
| 6 | objection..... | 182 |

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
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20  
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1 EXAMINATION OF ORLANDO LOPEZ  
2 BY MR. BOWMAN:  
3 Q. Could you please tell us your first  
4 and last name and spell your last name?  
5 A. Lopez, L-O-P-E-Z, Orlando,  
6 O-R-L-A-N-D-O.  
7 Q. It's Orlando Lopez?  
8 A. Correct.  
9 Q. Mr. Lopez, as you know, my name is  
10 Locke Bowman and I represent Jacques Rivera. I  
11 have some questions for you this morning that  
12 will -- and it will likely run into the  
13 afternoon.  
14 The -- have you ever been in a  
15 procedure like this, given a deposition before?  
16 A. In the surroundings like this, no.  
17 Q. It's similar to being in court in  
18 that you're under oath, we have a court  
19 reporter taking down my questions and your  
20 answers. It's a little less formal, we don't  
21 have a judge, and so just to be clear about  
22 some ground rules, first, like in court you  
23 need to answer audibly.  
24 If a question is properly answered  
25 with a yes or no, you need to say yes or no as

9

11

1 THE VIDEOGRAPHER: We are on the  
2 record. The time is 11:03. The date is May  
3 29, 2013. This is the videotaped deposition of  
4 Orlando Lopez in the matter of Rivera versus  
5 Guevara held in Cleveland, Ohio.

6 Counsel, please state appearances  
7 for the record?

8 MR. BOWMAN: My name is Locke  
9 Bowman. I represent the Plaintiff, Jacques  
10 Rivera.

11 MR. SWAMINATHAN: Anand Swaminathan  
12 for the Plaintiff, Jacques Rivera.

13 MS. ROSEN: Eileen Rosen for  
14 Defendant, City of Chicago.

15 MR. GIVEN: Jeff Given on behalf of  
16 the individual defendant.

17 MS. ADAMS: I'm Stephanie Adams  
18 here on behalf of Orlando Lopez.

19 THE VIDEOGRAPHER: Would the court  
20 reporter please swear in the witness?

21 ORLANDO LOPEZ, of lawful age, called for  
22 examination, as provided by the Ohio Rules of  
23 Civil Procedure, being by me first duly sworn,  
24 as hereinafter certified, deposed and said as  
25 follows:

1 opposed to uh-huh or shaking your head, which  
2 is not clear; okay?

3 A. Okay.  
4 Q. You should do your very best to  
5 avoid us talking over each other. I will  
6 endeavor not to interrupt you, and you should  
7 try and be sure that I finish asking my  
8 question before you start to answer the  
9 question so that we're not talking over each  
10 other.

11 I am really slow of speech and  
12 everybody eventually gets the idea of where I'm  
13 going and you want to jump in and start  
14 answering the question, try and prevent  
15 yourself from doing that so we have a clear  
16 record and Toni is not having to take us both  
17 down talking at the same time; okay?

18 A. Okay.  
19 Q. You are absolutely entitled to a  
20 clear question that you can understand, and I  
21 realize that this is not a pleasant experience  
22 for you, and so I'm going to do my best to make  
23 my questions clear and comprehensible.

24 If you don't understand a question  
25 that I've asked, I want you to tell me. And my

10

12

3 (Pages 9 to 12)

1 responsibility is going to be to keep  
 2 rephrasing the question until it gets clear and  
 3 you can answer; okay?

4 A. Okay.

5 Q. If you do answer my question, I'm  
 6 going to assume that you've understood what  
 7 I've asked and that you're actually responding  
 8 to that question. Is that also fair?

9 A. Fair.

10 Q. If at any point you need to take a  
 11 break, to consult with your lawyer, to use the  
 12 facilities, for whatever purpose, just let us  
 13 know and you can take a break and any  
 14 reasonable time that you need, we'll  
 15 accommodate; okay?

16 The only thing that I ask is that  
 17 if I've asked a question, that you finish  
 18 answering the question that I've asked before  
 19 we stop; fair enough?

20 A. Fair enough, okay.

21 Q. Now, could you tell me what you did  
 22 to get ready to come here and testify today?

23 A. Miss work and just got groomed and  
 24 got dressed and came, prepared mentally to get  
 25 ready for this hearing here and drove here and

1 signed. I'm marking it for identification as  
 2 Exhibit 29. I'd just ask you to take a few  
 3 minutes to read that over.

4 - - - - -

5 (Thereupon, Deposition Exhibit 29,  
 6 Affidavit, was marked for purposes  
 7 of identification.)

8 - - - - -

9 A. Do you want me to read the whole  
 10 thing or just --

11 Q. Yes, please.

12 Have you taken all the time you  
 13 need to read over Exhibit 29?

14 A. Yes.

15 MR. GIVEN: Objection. Form.

16 Q. Is this an affidavit that you  
 17 signed on June 12, 2010?

18 A. Yes.

19 Q. Are the statements in Exhibit 29  
 20 true and accurate?

21 A. Yes.

22 Q. Just to be clear, had you had an  
 23 opportunity before coming here to testify today  
 24 to read Exhibit 29 over?

25 A. Not today.

13

15

1 I'm here now.

2 Q. And you had a chance, I'm assuming,  
 3 to talk with Ms. Adams before you came?

4 A. Correct.

5 Q. Have you had any opportunity to sit  
 6 down and talk with any of the lawyers for the  
 7 City of Chicago or for the Chicago police  
 8 defendants who are represented by counsel here  
 9 today?

10 A. No.

11 Q. And you and I have not met before  
 12 this morning; right?

13 A. Correct.

14 Q. And as far as this particular  
 15 lawsuit goes, you've not spoken with any of us  
 16 lawyers representing Jacques in this particular  
 17 case?

18 A. Correct.

19 Q. Did you have a chance to look over  
 20 any documents, in particular any prior  
 21 testimony or sworn statements that you've given  
 22 before coming here to testify?

23 A. I looked over some.

24 Q. Let me -- Toni -- I'm going to hand  
 25 you what I believe is an affidavit that you

1 Q. I'm going to hand you next a  
 2 transcript of your testimony at a court hearing  
 3 that took place on June 23, 2011, and I'll mark  
 4 it for identification as Exhibit 30.

5 - - - - -

6 (Thereupon, Deposition Exhibit 30,  
 7 Transcript, was marked for purposes  
 8 of identification.)

9 - - - - -

10 Q. MS. ADAMS: Is this the direct and  
 11 cross or just the direct?

12 A. MR. BOWMAN: It's the direct and  
 13 cross. To be clear, in response to Ms. Adams'  
 14 question, Exhibit 30 is the entirety of  
 15 Mr. Lopez's testimony of the post conviction  
 16 hearing that took place in 2011.

17 Q. I'm not going to ask you to read  
 18 this entire transcript over, but I wanted to  
 19 clarify whether or not you had the chance to  
 20 read over this transcript of testimony before  
 21 you came here today to testify?

22 A. I read through it at home.

23 Q. And could you tell me when you did  
 24 that?

25 A. About a week ago.

14

16

4 (Pages 13 to 16)

1 Q. As you read through the transcript  
 2 that's before you as Exhibit 30, did you see  
 3 any errors in your testimony, anything that you  
 4 said that was not accurate?

5 A. No. Everything I said is pretty  
 6 much what I said.

7 Q. And is it -- is the testimony that  
 8 you gave on June 23, 2011 truthful to the best  
 9 of your ability?

10 A. Correct.

11 Q. As you sit here today under oath,  
 12 Mr. Lopez, can you tell me who the person is  
 13 who shot Felix Valentin on August 27, 1988?

14 A. The person that shot was -- at the  
 15 time the person that shot -- it was a gangster  
 16 pretty much, an Imperial Gangster.

17 Q. And just so that we're clear, when  
 18 you say Imperial Gangster, what does that mean?  
 19 What does that designate?

20 A. A rival gang from the Latin Kings  
 21 and any other gangs.

22 Q. Do you know that individual's name?

23 A. No, I do not.

24 Q. Is that person who was a member of  
 25 the Imperial Gangsters -- is that person

1 you went to look at a lineup in the police  
 2 station?

3 A. Twice; two times.

4 Q. You're confident of that?

5 A. Correct.

6 Q. All right. Mr. Lopez, let me step  
 7 back for a moment. You are -- we are not going  
 8 to ask you your address today.

9 Can you tell me whether you are  
 10 currently living in the area around here in  
 11 Cleveland, Ohio, where this deposition is going  
 12 on?

13 A. Yes.

14 Q. How long have you lived in this  
 15 area?

16 A. Over ten years.

17 Q. With whom do you live here?

18 A. Do I really have to answer that  
 19 one?

20 Q. I --

21 A. I mean, is that -- I have a wife  
 22 and I have four children.

23 Q. I don't need to know anybody's  
 24 names.

25 A. Okay.

17

19

1 Jacques Rivera?

2 A. No.

3 Q. As you sit here today under oath,  
 4 can you tell me, Mr. Lopez, whether the person  
 5 who shot Felix Valentin was an individual who  
 6 you had ever seen before the date of the  
 7 shooting, August 27, 1988?

8 A. Never saw him prior to the  
 9 shooting.

10 Q. Had you seen that individual  
 11 playing baseball in Humboldt Park prior to the  
 12 shooting?

13 A. No.

14 Q. As you sit here today under oath,  
 15 Mr. Lopez, can you tell me on how many  
 16 occasions you went to the police station in the  
 17 weeks following the shooting of Felix Valentin  
 18 to view a lineup?

19 A. Twice.

20 Q. Is there any doubt in your mind  
 21 that you went to the police station twice to  
 22 see the lineup?

23 A. Requestion that again.

24 Q. Do you have any uncertainty or  
 25 doubt in your mind that it was two times that

1 Q. I'm just interested in knowing  
 2 whether you live with your family?

3 A. Yes, I'm a married man and I have  
 4 four children.

5 Q. How old are your kids at this  
 6 point?

7 A. Really. 17 years old, 14, 13, and  
 8 10.

9 Q. Thank you. And how long have you  
 10 been married?

11 MS. ADAMS: Forever.

12 A. Forever. No --

13 MS. ADAMS: Don't ask him what his  
 14 anniversary is. That's not a fair question.

15 A. -- I've been married for 15 years.

16 Q. Before living in the Cleveland  
 17 area, where did you live?

18 A. Pennsylvania.

19 Q. Where in Pennsylvania?

20 A. Harrisburg.

21 Q. And prior to living in Harrisburg,  
 22 Pennsylvania, where did you live?

23 A. Chicago, Illinois.

24 Q. Can you tell me what year you moved  
 25 from Chicago, Illinois to Harrisburg?

18

20

5 (Pages 17 to 20)

1       A. It's been so long. Like I said,  
2 it's been over probably 15 years. I can't  
3 really tell you the date.

4       Q. Best estimation, was it in the  
5 decade of the 1990s?

6       A. Yes. I left in the '90s, late  
7 '90s.

8       Q. How old were you when you left  
9 Chicago approximately?

10      A. 19 or 20, around that time.

11      Q. Can you tell me what it was that  
12 prompted you to leave the City of Chicago?

13      A. Gangs.

14      Q. What do you mean by that?

15      A. You know, through all this stuff  
16 that happened to me with this it forced me --  
17 not forced me because nothing is forced in  
18 life, but the peer pressures and stuff like  
19 that made me join gangs. I was joining into  
20 the Maniac Disciples due to this reason. Then  
21 I had children. My first son was born, and I  
22 saw how Felix died. Man, I'm going to cry  
23 here, and I just wanted to make sure my son  
24 didn't be another casualty, and I want make  
25 sure I raise my family.

1       Q. Do you have the occasion ever to go  
2 back and visit Chicago?

3       A. Yes, I have visited. I got family  
4 over there.

5       Q. When was the last time you visited  
6 the city, just to get a sense of how often you  
7 come back?

8       A. Just recently.

9       Q. And can you tell me how many times  
10 a year you might go back to visit?

11      A. Once a year.

12      Q. And that's to visit family?

13      A. Correct.

14      Q. When you return to Chicago, do you  
15 go back to the old neighborhood where you grew  
16 up?

17      A. No, I do not.

18      Q. I'd like to ask you a couple of  
19 questions about your employment history.

20      Did you graduate from high school?

21      A. I have my GED.

22      Q. And since obtaining the GED, can  
23 you tell me the jobs where you've worked?

24      A. One factory and then became a  
25 high-rise window cleaner.

21

23

1       Q. Thank you for your testimony. I  
2 wanted to be clear about one thing that I'm not  
3 sure I heard. You said that you had joined a  
4 particular gang yourself as a result of peer  
5 pressure prior to leaving Chicago?

6       A. It was before -- it was when all  
7 this occurred after Felix and the trial, I  
8 decided to join a gang because I felt like I  
9 would be safe and -- you know, safe haven. In  
10 other words, being in a territory area in  
11 Chicago where you got your Kings in Humbolt  
12 Park, and you know how everything is divided  
13 over there where it's territorial and then the  
14 family -- my family members were also on the  
15 other side of the fence, so that was the reason  
16 why I joined the gangs also because I didn't  
17 want to -- once you're in a gang you're stuck  
18 in that area no more, and I felt safe in that  
19 area, in that box in other words.

20       Q. Can you tell me the name of the  
21 gang you joined?

22       A. Maniac Disciples.

23       Q. And that was after the trial and  
24 after Felix's death?

25       A. Correct.

1       Q. And the factory where you worked,  
2 is that here in Cleveland?

3       A. No, Chicago.

4       Q. What did you do for work when you  
5 were living in Harrisburg?

6       A. Window cleaning.

7       Q. And you also do window cleaning  
8 here in Cleveland?

9       A. Correct.

10      Q. Anything that attracted to you  
11 high-rise window cleaning?

12      A. I had a son I had to feed.

13      MS. ADAMS: That will do it, huh?

14      THE WITNESS: Yes.

15      Q. Okay. Fair enough. And is there a  
16 particular firm that you work for now that  
17 provides cleaning service?

18      MS. ADAMS: (Indicating).

19      MR. BOWMAN: He's not answering  
20 that question?

21      MS. ROSEN: Can you just say yes or  
22 no?

23      A. Yes.

24      MS. ADAMS: Yes, sorry. He is  
25 employed.

22

24

6 (Pages 21 to 24)

1 Q. And I'm not going to ask you where  
 2 you work. How long have you worked for the  
 3 particular firm that employs you now?  
 4 A. Nine years if I'm correct.  
 5 Q. And this is a full-time job?  
 6 A. Correct.  
 7 Q. Can you please tell me your date of  
 8 birth?  
 9 A. 5/17/76.  
 10 Q. And what is your current age?  
 11 A. 37.  
 12 Q. And I gather -- I don't want to  
 13 belabor the point, but just to be clear I  
 14 gather from your testimony that you completely  
 15 totally left behind the gang life when you left  
 16 the City of Chicago?  
 17 A. Correct.  
 18 Q. I would like to take you back at  
 19 this time, Mr. Lopez, to the date of Felix's  
 20 murder, which I understand to be August 27,  
 21 1988. Do you remember that day?  
 22 A. Can you repeat the date again?  
 23 MS. ROSEN: Object to the form of  
 24 the question because he didn't die on August  
 25 27, so --

25

1 11 or 12.  
 2 Q. Were you going to school at that  
 3 point?  
 4 A. Yes, I was.  
 5 Q. What day of the week was it that  
 6 Felix was shot?  
 7 A. That I can't -- I just -- now that  
 8 I read this stuff I knew it was on a Saturday,  
 9 but at the moment I didn't know the date, so --  
 10 Q. Okay. And that's what I was just  
 11 asking --  
 12 A. Okay.  
 13 Q. -- whether it was a weekend or  
 14 during the day. Were you in school?  
 15 A. No.  
 16 Q. Were you attending school at that  
 17 time, not were you in school on a Saturday, but  
 18 were you attending school?  
 19 A. Yes, I was.  
 20 Q. Where did you attend school?  
 21 A. I attended school at Mozart  
 22 Elementary.  
 23 Q. Where is that?  
 24 A. That was over there on Avers and  
 25 Palmer.

27

1 MR. BOWMAN: I'll rephrase the  
 2 question. Thank you. It was my mistake. Let  
 3 me try again so it's clear.  
 4 Q. Do you remember the day that Felix  
 5 was shot?  
 6 A. Not the actual date, but I remember  
 7 the day of, you know --  
 8 Q. And I'm not trying to ask whether  
 9 you remember what calendar day it was --  
 10 A. No, that I don't remember. I just  
 11 remember exactly vividly how it happened, when  
 12 it happened and how it went about, my actions  
 13 and stuff like that.  
 14 Q. And I think that we all agree as  
 15 we've got records here that the date of Felix's  
 16 shooting was August 27, 1988, so I may in some  
 17 of my questions refer to that date, but we'll  
 18 be talking about the day Felix was shot; okay?  
 19 A. Okay.  
 20 Q. Can you tell me where you were  
 21 living on the day Felix was shot?  
 22 A. I was living at 3320 West Cortland,  
 23 Chicago, Illinois.  
 24 Q. And how old were you at that time?  
 25 A. If my memory serves me right around

26

1 Q. And what grade were you in when  
 2 Felix was shot?  
 3 A. I don't remember the grade I was  
 4 in.  
 5 Q. Okay. Can you tell me who you  
 6 lived with at 3320 West Cortland?  
 7 A. My mother.  
 8 Q. Did anyone else live in the home  
 9 other than you and your mom?  
 10 A. My stepfather, my little two  
 11 sisters and my sister, Marilyn. All four  
 12 sisters, let's just put it that way there.  
 13 Q. So it was your mom, your stepdad,  
 14 you, and four sisters?  
 15 A. Correct.  
 16 Q. And is 3320 West Cortland an  
 17 apartment building?  
 18 A. Correct.  
 19 Q. What apartment did your family  
 20 have?  
 21 A. The one near the alley, that's like  
 22 -- that's pretty much all I can tell you that  
 23 part.  
 24 Q. Which floor were you on?  
 25 A. First floor.

28

1 Q. Did you in that period of time  
 2 around when Felix was shot, did you sometimes  
 3 spend time with your father?  
 4 A. Yeah, I did spend some time with my  
 5 father.  
 6 Q. Where did your father live at that  
 7 time?  
 8 A. Mozart Park -- I mean across the  
 9 street from the school, from Mozart Elementary.  
 10 Q. Was there an arrangement as to how  
 11 much time you would spend with your dad versus  
 12 your mom?  
 13 A. No.  
 14 Q. So it just --  
 15 A. Whenever I felt like going to him  
 16 that's when I could go.  
 17 Q. So it varied?  
 18 A. Correct.  
 19 Q. Now, were you -- around the time  
 20 that Felix was shot, were you acquainted with  
 21 Felix's family, the Valentins?  
 22 A. Did I knew them personally?  
 23 Q. Yes.  
 24 A. Yes, I did.  
 25 Q. Can you tell me what your

1 relationship between Israel and Marilyn at that  
 2 time?  
 3 A. I believe they were boyfriend and  
 4 girlfriend.  
 5 Q. Other than the relationship between  
 6 Israel and your sister, Marilyn, was there any  
 7 other relationship between your family and the  
 8 Valentins?  
 9 A. Yeah, just --  
 10 MR. GIVEN: Objection. Form. Go  
 11 ahead.  
 12 A. Question is -- yeah, they were --  
 13 we were just family -- once you intertwined  
 14 with relationships, you know, you throw parties  
 15 and stuff like that.  
 16 Q. Did you know Felix?  
 17 A. Yes, I did.  
 18 Q. Can you tell me what your -- what  
 19 the nature of your relationship was with Felix?  
 20 A. Through the --  
 21 MR. GIVEN: Objection. Form.  
 22 A. His brother -- just like I said  
 23 knew him in the family because I used to go to  
 24 their house. He used to, you know, hey, how  
 25 you doing and later.

29

31

1 relationship was with that family?  
 2 A. The relationship was through my  
 3 sister-in-law, they were -- I mean, my sister,  
 4 my brother-in-law, and they lived on Campbell  
 5 and LeMoyne and visited them and that was  
 6 pretty much it.  
 7 Q. Can you tell me where they lived  
 8 again? I'm sorry, I didn't catch that.  
 9 A. Campbell and LeMoyne.  
 10 Q. Campbell and Illinois?  
 11 A. LeMoyne.  
 12 MR. GIVEN: LeMoyne.  
 13 Q. Got it. I'm the one from Chicago.  
 14 And which sister was it who had a  
 15 relationship with one of the Valentin boys?  
 16 A. Marilyn.  
 17 Q. Marilyn. How old was Marilyn at  
 18 that time?  
 19 A. I'm going to assume 18, I don't  
 20 know really her age.  
 21 Q. And which Valentin boy did Marilyn  
 22 have a relationship with?  
 23 A. Israel Valentin.  
 24 Q. Other than the -- and can you just  
 25 tell us so we're clear the nature of the

1 Q. Did you spend time with him?  
 2 A. No. That I -- no, I did not.  
 3 Q. Did you consider him a friend?  
 4 A. I considered him a family member.  
 5 Q. All right. Now, I want to ask you  
 6 some questions about the geography around 3320  
 7 West Cortland.  
 8 What is the direction that Cortland  
 9 Street runs?  
 10 A. If my mind serves me right east and  
 11 west. East and west, I'm assuming if my mind  
 12 plays me right.  
 13 Q. And as you go to the east from the  
 14 apartment where your family lived at 3320 West  
 15 Cortland, as you go east, what is the first  
 16 cross street that you encounter?  
 17 A. Armitage. So you got Cortland  
 18 here, (indicating), you have Spaulding here  
 19 (indicating), and if you go east, if my mind  
 20 serves right, is Armitage.  
 21 Am I wrong here?  
 22 MR. GIVEN: I'd rather clear up the  
 23 record so that we're all literally on the same  
 24 page. That's incorrect.  
 25 A. Incorrect. I'm just -- well, then

30

32

8 (Pages 29 to 32)

1 west --  
 2 MR. BOWMAN: I think I've got a  
 3 solution for us.  
 4 A. If you want me to draw it out on a  
 5 paper, I'll be glad to do that so how my memory  
 6 serves me right.  
 7 Q. I've got Google Maps?  
 8 A. Okay.  
 9 Q. So that will be --  
 10 MS. ADAMS: Google, the world's  
 11 best resource.  
 12 - - - - -  
 13 (Thereupon, Deposition Exhibit 31,  
 14 Google Map, was marked for purposes  
 15 of identification.)  
 16 - - - - -  
 17 Q. I've marked for identification as  
 18 Exhibit No. 31 a Google Map page showing  
 19 Cortland Street in the City of Chicago and the  
 20 area around Cortland. And what we did, just to  
 21 be clear, Mr. Lopez, to get this particular  
 22 page was to type in the address 3320 West  
 23 Cortland Street and you'll see a little bubble  
 24 with an A in it near the center of the page,  
 25 and that's the Google Map identification of the

33

1 bottom of the page, you're going south past  
 2 Wabanasia down toward North Avenue?  
 3 A. Okay, so that's south, north, west,  
 4 east I guess.  
 5 Q. And --  
 6 A. Yes.  
 7 Q. And then over on the right side of  
 8 the page is toward the east where you run --  
 9 the first big street is Kedzie, right, east?  
 10 A. Yes.  
 11 Q. And then over toward the west you  
 12 run into Kimball and then Central Park on  
 13 toward Avers on the west?  
 14 A. Correct.  
 15 Q. And for the record --  
 16 (Discussion held off the record.)  
 17 Leave the record running just give Stephanie a  
 18 chance to --  
 19 MS. ADAMS: Okay, I'm good. Sorry.  
 20 Q. For the record, your counsel has  
 21 marked the directions on Exhibit 31 just as  
 22 we've listed them with N at the top of the  
 23 page, S at the bottom of the page, E for east  
 24 on the right side and W for west on the left  
 25 side; correct?

35

1 address of your old apartment.  
 2 A. Home.  
 3 Q. Okay, so just to confirm, Cortland  
 4 does run east and west; right?  
 5 A. It says Cortland you were asking  
 6 me, not Spaulding?  
 7 MR. GIVEN: Correct. He's asking  
 8 you about Cortland.  
 9 A. That's the reason why he threw me  
 10 off with the Spaulding and that's why I'm like  
 11 okay.  
 12 Q. No question that I asked a  
 13 confusing question, it was my bad, and I just  
 14 want us to be clear about it, so that we can  
 15 talk about it in a way that we all understand.  
 16 That's my only purpose; okay?  
 17 So if you look here at this map  
 18 you'll see that toward the top of the page,  
 19 that's north, right, as you go north from  
 20 Cortland you get to Armitage and up toward  
 21 Palmer going north of the city; right?  
 22 A. Uh-huh.  
 23 Q. You need to say yes or no?  
 24 A. Oh, I apologize, yes.  
 25 Q. And then if you go down toward the

34

1 A. Correct.  
 2 Q. And does that all make sense?  
 3 A. Yes.  
 4 Q. So let me try it again. If you're  
 5 heading on Cortland Street going east, what's  
 6 the first street you come to?  
 7 A. Spaulding.  
 8 Q. Spaulding. And if you're heading  
 9 on Cortland Street going west, what's the  
 10 street you come to?  
 11 A. Central Park.  
 12 Q. Before Central Park, do you get to  
 13 Kimball?  
 14 A. Oh, Kimball.  
 15 Q. Would that be the first one you  
 16 come to?  
 17 A. Yes.  
 18 Q. All right. Now, you've mentioned  
 19 in one of your prior answers an alley in the  
 20 vicinity of your building.  
 21 A. Correct.  
 22 Q. Can you tell us where that alley  
 23 runs in relation to your building?  
 24 A. North and south.  
 25 Q. And is it right along the east side

36

9 (Pages 33 to 36)

1 of the building?  
 2 A. Yes.  
 3 Q. Now, did there come a point on that  
 4 afternoon that we're talking about when Felix  
 5 was shot when you left out of your building at  
 6 3320 and walked out into the street?  
 7 A. Repeat the question again.  
 8 Q. Did there come a point on the  
 9 afternoon Felix was shot when you were at home  
 10 at your apartment and you walked out of the  
 11 apartment onto the street?  
 12 A. Yes.  
 13 Q. And can you tell us approximately  
 14 what time of day that was to the best of your  
 15 memory now?  
 16 A. It was daylight. That's all I can  
 17 tell you. I'm not going to sit here and say it  
 18 was 10, 12, 1, 3, that I can't tell you. I  
 19 cannot.  
 20 Q. When you walked out of the  
 21 building, when you first walked out, did you  
 22 see anything unusual going on?  
 23 A. Yes, a red car. There was a red  
 24 car which was -- Felix was in. A gentleman  
 25 that was actually shooting the -- shooting

37

1 direction did you look?  
 2 A. East.  
 3 Q. And as between left and right, that  
 4 would be left?  
 5 A. As I'm walking down that was left.  
 6 Q. And did you see -- where was Felix?  
 7 Where was Felix?  
 8 A. In the car.  
 9 Q. Was he seated --  
 10 A. On the driver --  
 11 Q. I'm sorry -- you're good.  
 12 A. On the driver's side.  
 13 Q. I interrupted you. And you said  
 14 that there was a man; yes?  
 15 A. Correct.  
 16 Q. And you described the man as  
 17 shooting Felix?  
 18 A. Correct.  
 19 Q. Was the man facing toward you or  
 20 away from you?  
 21 A. Away from me.  
 22 Q. Can you describe how that man  
 23 looked?  
 24 A. At the time when he was facing me  
 25 -- when his back was towards me he had black

39

1 Felix, and that's pretty much what was going  
 2 on.  
 3 Q. Tell me to the best you can exactly  
 4 where Felix's red car was parked as you came  
 5 out of the building?  
 6 A. On the alley facing north and --  
 7 facing north he was right there on -- repeat  
 8 the question again, please.  
 9 Q. Tell me exactly where Felix's car  
 10 was when you came out of the building?  
 11 A. On the alley facing north.  
 12 Q. Was the car on the same side of  
 13 Cortland or on the other side of Cortland from  
 14 your apartment?  
 15 A. It was on my -- on the side of the  
 16 apartment.  
 17 Q. Was the car visible as you -- and  
 18 when you -- just to be clear, when you walked  
 19 out of your apartment, did you walk out of the  
 20 front door?  
 21 A. Correct.  
 22 Q. Was the car visible when you walked  
 23 out of the apartment?  
 24 A. Yes, it was.  
 25 Q. And to look at the car, which

38

1 hair -- a black jacket. He was wearing black.  
 2 His hair was like gold-brownish in the back. I  
 3 could tell -- you want me to go into details?  
 4 Q. Yes, the best details you can.  
 5 A. Okay. His back was turned to me so  
 6 I ran into the --  
 7 Q. Hang on just a second. Just the  
 8 details as to how he looked.  
 9 A. Okay. His hair was black and  
 10 yellow, all black and probably that's pretty  
 11 much all I can remember.  
 12 Q. Anything else you can tell us about  
 13 how he looked at that point?  
 14 A. His back was turned on me.  
 15 Q. I'm going to hand you another  
 16 exhibit now which I'm going to mark for  
 17 identification as Exhibit 32, and I don't have  
 18 any extra copies of this. It's a color  
 19 photograph. So I'm going to hand it to the  
 20 other lawyers so that they can look at it. It  
 21 has a Bates number on it, an identifying number  
 22 which is C like cat P like police D like  
 23 department, and the number 0093. And it is my  
 24 understanding that this is one of the original  
 25 crime scene photos from the investigation.

40

1 - - - -  
 2 (Thereupon, Deposition Exhibit 32,  
 3 Photograph, was marked for purposes  
 4 of identification.)  
 5 - - - -

6 Q. Do you recognize -- do you  
 7 recognize what's shown in that photograph,  
 8 Exhibit 32, which has just been placed before  
 9 you?

10 A. Yes.

11 Q. Can you tell us?

12 A. The apartment where I lived.  
 13 That's the apartment where I used to live at,  
 14 the alley where Felix got shot.

15 Q. In that photograph, are you able to  
 16 see the location where Felix's car was at the  
 17 time of the shooting?

18 A. Yes.

19 Q. And can you indicate -- actually I  
 20 need for you to tell us where that was and then  
 21 we'll ask you to make an indication.

22 MS. ADAMS: Do you want him to hold  
 23 it up for the camera?

24 Q. Why don't you just tell us as best  
 25 you can in words first, and then we'll use the

1 photograph, and then we'll ask you to indicate  
 2 with your finger where it is that the car was  
 3 located.

4 A. (Indicating) in the alley right  
 5 here.

6 MR. BOWMAN: Hang on just a second  
 7 so the camera can get that, and Jeff let me  
 8 know when you have that.

9

10 THE VIDEOGRAPHER: We do.

11 Q. Okay. You can put it down now.

12 MS. ADAMS: You okay?

13 THE WITNESS: Yeah.

14 Q. What exactly was this person all in  
 15 black doing at that moment when you came out of  
 16 your apartment?

17 A. Shooting at Felix.

18 Q. Did you see a weapon?

19 A. At the moment, no.

20 Q. How did -- how is it that you knew  
 21 that he was shooting at Felix?

22 A. Because I heard like a BB gun  
 23 sounded like -- a BB gun sound.

24 Q. Can you tell me how many shots you  
 25 heard?

41

43

1 picture?

2 A. He was parked on the alley, like I  
 3 said, facing north. He was like parked right  
 4 there by the sidewalk.

5 Q. Was the car partially in the alley  
 6 or was it out on the street?

7 A. In the alley.

8 Q. And the car was pointed toward the  
 9 north, which was pointed toward Armitage?

10 A. Correct.

11 Q. So that meant that Felix, in the  
 12 passenger side, was closest to you?

13 MS. ROSEN: Objection. Form.

14 MR. BOWMAN: What's wrong with the  
 15 form?

16 MS. ROSEN: Felix in the driver's  
 17 -- you said passenger side.

18 MR. BOWMAN: Oh, I'm sorry. I  
 19 misspoke. Thanks.

20 Q. So Felix is in the driver's seat,  
 21 and that means he's in the side of the car  
 22 closest to you?

23 A. Correct.

24 Q. Why don't you now, with your  
 25 counsel's help if you could, hold up the

1 A. I just heard shots.

2 Q. Fair enough. And, Mr. Lopez, if at  
 3 some point you just don't know, that's fair  
 4 enough. I'm not -- it's not a test. I'm just  
 5 trying to get your best recollection, and I  
 6 appreciate again the extreme difficulty of this  
 7 testimony. Thank you for your cooperation.

8 Now, I'm going to show you at this  
 9 point another photograph, which I'm marking for  
 10 identification as Exhibit 33, and this also has  
 11 a Bates number on it and I wrote it down  
 12 because it's not easy to read on the document.  
 13 It is Bates number Bluhm, B-L-U-H-M, 045069,  
 14 and this photograph was taken at least 20 years  
 15 later, and I'm going to show it to the lawyers  
 16 and then I'll hand it to you.

17 - - - -

18 (Thereupon, Deposition Exhibit 33,  
 19 Photograph, was marked for purposes  
 20 of identification.)

21 - - - -

22 Q. Now, recognizing that it's much  
 23 later, are you able to recognize what's in this  
 24 photograph?

25 A. Yes.

42

44

11 (Pages 41 to 44)

1 Q. What does this show?  
 2 A. An alley apartment.  
 3 Q. And does it, in fact, show your  
 4 same building, 3320 West Cortland?  
 5 A. Correct.  
 6 Q. And in this photograph, are you  
 7 also able to see that spot where Felix's car  
 8 was located on that afternoon?  
 9 A. Yes.  
 10 Q. And I'd ask you again if you could  
 11 just hold up Exhibit 33 and point to the  
 12 location where the car was parked on that  
 13 picture.  
 14 A. (Witness complies).  
 15 MR. BOWMAN: And, Jeff, when you  
 16 have that, let us know.  
 17 THE VIDEOGRAPHER: Okay.  
 18 Q. Okay. When you came out of the  
 19 building, saw the man with his back to you  
 20 dressed in black shooting at Felix, what did  
 21 you do?  
 22 A. Ran into this -- you can't see it  
 23 in the picture -- can I show?  
 24 Q. Sure.  
 25 A. Right here in this indentation

45

1 coming back like it was yesterday -- and gets  
 2 in the car and just goes down, drives  
 3 Spaulding, south of Spaulding -- goes down  
 4 Spaulding and that's the last time I saw the  
 5 car and the gentleman.  
 6 Q. Prior to the point when you  
 7 returned from the store, before you came --  
 8 before you got back from the store, were you at  
 9 any point able to see the shooter's face?  
 10 A. No.  
 11 Q. When you first came out of the  
 12 building, did you know that it was Felix's car  
 13 at the point in the alley that you indicated  
 14 for us?  
 15 A. Yes, I did.  
 16 Q. And how did you know it was  
 17 Felix's?  
 18 A. He was picking up my sister and  
 19 Moe, my brother-in-law, Israel Valentin, for a  
 20 wedding.  
 21 Q. And was Israel upstairs in the  
 22 apartment at this time?  
 23 A. As he was shooting him?  
 24 Q. Yes.  
 25 A. He was still upstairs, and then I

47

1 right here (indicating), I ran into this  
 2 indentation, so I had saw the shooter and  
 3 that's what I did just watched him shoot, and  
 4 then I ran.  
 5 Q. At any time did you go to a store?  
 6 A. Correct, yes, I did.  
 7 Q. So can you tell me the sequence of  
 8 events from when you first saw the man dressed  
 9 in black shooting at Felix until the point when  
 10 you got to the indentation?  
 11 A. Well, I saw the gentleman shooting  
 12 at Felix, with his back turned to me, and I ran  
 13 into the indentation or the corner, ran to the  
 14 store, told the store -- the owner of the store  
 15 they're shooting somebody at the alley, could  
 16 you call the police? He said whatever, you  
 17 know, just blew me off and said, you know, I  
 18 didn't see nothing. As I vividly remember him  
 19 saying I didn't see nothing. I ran back, and  
 20 as I go back to the corner, at this time the  
 21 gentleman shot probably twice more and turned  
 22 his face towards me. He did not see me. And  
 23 then he ran towards the car, and as he ran  
 24 towards the car he again glanced back to see if  
 25 there was anybody around -- everything is

46

1 like came to -- like I said, got in -- ran into  
 2 the store and he shot -- Israel came down  
 3 running, hysterical, and saw his brother shot,  
 4 screaming, and he just got in the car and  
 5 started driving it, you know, erratically and,  
 6 you know, that was pretty much it.  
 7 Q. I'm going to hand you next a  
 8 photograph that has a hard to read Bates  
 9 designation on it. It's Bluhm 045067, and I'll  
 10 mark it for identification as Exhibit 34, and  
 11 this photograph was also one that was taken 20  
 12 years plus after the events.  
 13 - - - - -  
 14 (Thereupon, Deposition Exhibit 34,  
 15 Photograph, was marked for purposes  
 16 of identification.)  
 17 - - - - -  
 18 Q. And your counsel has placed Exhibit  
 19 34 in front of you, Mr. Lopez, and my question  
 20 for you is if you can tell me what's shown in  
 21 that picture.  
 22 A. The door that I ran out of.  
 23 Q. Are you --  
 24 A. Well, the door is not there, but  
 25 that was the entranceway --

48

12 (Pages 45 to 48)

1 Q. That you ran out of?  
 2 A. Ran out of -- Well, came out and  
 3 saw him and hid.  
 4 Q. Then my next question is are you  
 5 able in that photograph to see the store that  
 6 you ran to?  
 7 A. Yes.  
 8 Q. And can you -- I think probably the  
 9 easiest thing to do would be to ask you to hold  
 10 up Exhibit 34 as you have in the past and point  
 11 for us to the store that you ran to?  
 12 A. Corner (indicating).  
 13 Q. And can you tell me what the cross  
 14 street is at that corner?  
 15 A. That's Kimball.  
 16 MR. BOWMAN: Jeff, did you get that  
 17 okay?  
 18 THE VIDEOGRAPHER: Yes.  
 19 Q. How long did it take you to, from  
 20 the time that you first came out of your  
 21 building until the point when you got down to  
 22 the end of the block to the store?  
 23 A. Everything is quick. It was bam,  
 24 bam, and that's pretty much all I can tell you.  
 25 I couldn't tell you it took 10, 15, that I

49

1 Minding my -- you know, I was going to go to  
 2 the store. I saw the gentleman shooting. I  
 3 heard the noise, you know, the BB gun sound,  
 4 and when I saw him turning he was, you know, he  
 5 was like this (indicating) his back. That's  
 6 when I ran into -- I just went right in, slid  
 7 there in the indentation and I looked for  
 8 probably -- it seemed like -- I don't know,  
 9 just hid there and that's pretty much what I  
 10 did.  
 11 Q. And at that point then you went to  
 12 the store?  
 13 A. Correct.  
 14 Q. And then you came back --  
 15 A. Correct.  
 16 Q. -- after the store? And tell me  
 17 where you went after you got back from the  
 18 store.  
 19 A. Back to the spot that I hid  
 20 earlier.  
 21 Q. All right. And it was at that  
 22 point when you came back and hid again that you  
 23 were able for the first time --  
 24 A. To see his face.  
 25 Q. -- to see his face. All right.

51

1 cannot tell you. I just remember everything  
 2 just quick. It seemed like -- it just it was  
 3 quick to me. Everything was quick and  
 4 everything that's --  
 5 Q. Can you describe your emotions at  
 6 that point in time, how you were feeling?  
 7 A. I was in -- pretty much shocked  
 8 like what was going on there I couldn't -- I  
 9 really didn't know -- at that age as I remember  
 10 it was just like okay. At the time I didn't  
 11 have emotions because I was just reacting as I  
 12 remembered, just reacting I guess.  
 13 Q. Were you afraid that something  
 14 might happen to you that you could be hurt?  
 15 A. Obviously as I look back now that  
 16 I'm 37 years old then, no, because I was just  
 17 reacting. Normally if you were scared you  
 18 would have just ran the other way, never came  
 19 back to the spot. That's me thinking now, you  
 20 know, so that --  
 21 Q. Fair enough. Did you, on your way  
 22 down to the store, stop at this indentation  
 23 point in your building or did you go straight  
 24 to the store first?  
 25 A. No. First I came down the stairs.

50

1 Let me hand you next a photograph that is Bates  
 2 number Bluhm 045062. I've marked it for  
 3 identification as Exhibit 35.  
 4 - - - - -  
 5 (Thereupon, Deposition Exhibit 35,  
 6 Photograph, was marked for purposes  
 7 of identification.)  
 8 - - - - -  
 9 MS. ROSEN: Did you say 62?  
 10 MR. BOWMAN: I did.  
 11 Q. And, Mr. Lopez, I'll represent to  
 12 you again that Exhibit 35 is a photograph that  
 13 was taken over 20 years after the events.  
 14 Recognizing that, are you able to recognize  
 15 what's shown in that photograph?  
 16 A. The house that I lived in and the  
 17 corner that I hid.  
 18 Q. In that photograph can you also see  
 19 the place where Felix's car was parked?  
 20 A. Yes.  
 21 Q. What I'm going to ask you to do  
 22 with this photograph is if you could put your  
 23 initials O.L. at that place in the photograph  
 24 where you were hiding.  
 25 A. (Witness complies).

52

13 (Pages 49 to 52)

1 Q. And then don't let go of the pen  
 2 just yet. If you could write the word, car, at  
 3 the location where Felix's car was?

4 A. (Witness complies).

5 Q. And then I'll ask you, if you could  
 6 once again, to hold up the photograph, and  
 7 first I'd like you to indicate with your finger  
 8 or with the pen if that's easier, first just  
 9 point to the place where you've written your  
 10 initials where you were hiding.

11 A. (Witness complies).

12 MR. BOWMAN: Okay, Jeff?

13 THE VIDEOGRAPHER: Yes.

14 Q. All right. And then before you put  
 15 it down, if you could then next point to the  
 16 place where the car was located?

17 A. (Witness complies).

18 Q. And that's at the alley at the end  
 19 of the building; yes, sir?

20 A. Correct.

21 Q. Thank you very much.

22 Now, when you came back to your  
 23 hiding place for the second time, tell us what  
 24 you saw.

25 A. Repeat the question again.

1 like Puerto Rican to me with his hair and still  
 2 wearing the jacket and --

3 Q. Other than that he was Hispanic and  
 4 olive colored, is there anything else you can  
 5 tell us about his face?

6 A. It's like I said, I just like --  
 7 his face is imprinted in my face -- in my  
 8 brain. I cannot get it out of my face as we  
 9 speak and as we bring up all this stuff that's,  
 10 you know, the past that I hate to talk about,  
 11 and brown hair, you know, brownish hair, you  
 12 know, like the dark hair and that was pretty  
 13 much all I could tell you.

14 Q. Have you now told me everything  
 15 that you can about the way his face looked?

16 A. Yes.

17 Q. Now, you say that he ran away.

18 Which direction did he run?

19 A. He ran north -- no, I apologize,  
 20 east.

21 Q. And is that toward you or away from  
 22 you?

23 A. Away from me.

24 Q. And what was he running toward?

25 A. A car.

53 55

1 Q. When you came back to your hiding  
 2 place for the second time, coming back from the  
 3 store, tell us what you saw.

4 A. The gentleman that I -- I ran back  
 5 to the corner because the gentleman was not  
 6 done shooting Felix, and then when he turned --  
 7 he finally finished pretty much, and then when  
 8 he turned around just looked around to see if  
 9 there was any witness I assume, eye witness,  
 10 and then he ran before he got into the car that  
 11 he got away with he also turned again, and then  
 12 got in the car and they left.

13 Q. All right. Now, when he turned  
 14 around the first time, for how many seconds  
 15 were you able to look at his face?

16 A. Felt like an eternity. He looked.  
 17 Let's just say he looked, put his gun in, ran  
 18 to the car, he looked before he got into the  
 19 car, he looked again, and I was able to see his  
 20 face. Like I said, it felt like an eternity,  
 21 enough to see his face just put it that way.

22 Q. What can you tell me about his  
 23 face?

24 A. Hispanic and like a olive color,  
 25 you know, just a olive color. He was -- looked

1 Q. Can you describe the car that he  
 2 was running toward?

3 A. If my mind serves me right in the  
 4 sense of the car, it was like either a blue or  
 5 a brown -- it was just like I said it was a  
 6 Chevy I'm assuming -- no, I'm not assuming. It  
 7 was a Chevy. As far as the color goes, that I  
 8 don't recall. If I recall I said brown and  
 9 then I said blue, but that just vividly just --  
 10 but I remember it was like a Chevy.

11 Q. And was someone else in the car?

12 A. Of course the guy that was driving.  
 13 He got in the passenger side and the get away  
 14 -- the guy that was driving to get away.

15 Q. Did you ever see the man who was  
 16 driving the car?

17 A. No.

18 Q. Do you know whether it was a man or  
 19 a woman?

20 A. That I couldn't tell you because I  
 21 never saw the individual inside the car.

22 Q. Now, where was the car as this man  
 23 wearing black was running toward it?

24 A. Where is the other picture at?

25 See, this where the white car is at facing west

54 56

14 (Pages 53 to 56)

1 double parked -- do you want me to just show  
 2 you right here so that way I can see where I'm  
 3 pointing at.

4 Q. Yeah.

5 A. Where the white car is at, the  
 6 location facing the double -- you know, the car  
 7 is still facing this way (indicating). Their  
 8 car was facing east, and it was parked right  
 9 there (indicating).

10 Q. May I see the photograph, please?

11 A. Yeah.

12 Q. So if you had to estimate, how many  
 13 car lengths down the street was the getaway car  
 14 from the alley?

15 A. Where the car is at probably one.

16 Q. The white car that you indicated is  
 17 the one shown in Exhibit 35 here?

18 A. Correct.

19 MR. BOWMAN: I don't know, Jeff,  
 20 did --

21 A. Did you catch that?

22 MR. BOWMAN: Did you catch that?

23 MS. ROSEN: Can I see the photo?

24 A. She wants to see the picture.

25 MR. BOWMAN: Absolutely.

1 Q. Did you recognize him as somebody  
 2 you had seen playing baseball at Humboldt Park?

3 A. No.

4 MR. BOWMAN: I'd like to take a  
 5 short break at this point.

6 THE VIDEOGRAPHER: Off the record.

7 The time is 12:01.

8 (Recess taken 12:01 p.m.)

9 - - - -

10 THE VIDEOGRAPHER: Back on the

11 record 12:18.

12 (Deposition resumed 12:18 p.m.)

13 Q. Mr. Lopez, did there come a point  
 14 where you saw the gun in the shooter's hand?

15 A. Show me the gun. At one point I  
 16 did show -- I did see the gun.

17 Q. Can you tell us at what point that  
 18 was?

19 A. When I was in the -- as he turned  
 20 to look and as he went to put it away.

21 Q. And that was the first time that he  
 22 turned around?

23 A. Correct.

24 Q. Is that the only time that you saw

59

1 Q. Where in relation to the get away  
 2 car was the man standing when he turned around  
 3 the second time?

4 A. Getting in the car.

5 Q. So he was standing right by the  
 6 car?

7 A. Correct.

8 Q. And when he turned around the  
 9 second time, for how many seconds did you see  
 10 his face then?

11 A. Just good enough time, but that I  
 12 can -- like I said, everything was quick in an  
 13 instant, so I would see his face he looked  
 14 vividly real good to look around and then got  
 15 into the car.

16 Q. Is there anything additional that  
 17 you saw about his face the second time that you  
 18 hadn't noticed the first time?

19 A. No, the same thing, and pretty much  
 20 that's it.

21 Q. As you looked at this individual  
 22 dressed in black who turned around at least two  
 23 times, did you recognize him as somebody you  
 24 had seen before?

25 A. Prior to the shooting no.

1 the gun?

2 A. That was the only time.

3 Q. Now, I want to turn with you to the  
 4 discussions you had with the police about the  
 5 case.

6 Can you tell me what the first  
 7 contact was, the very first, that you had with  
 8 any police officers about Felix's shooting?

9 A. It was at nighttime.

10 Q. On the same day?

11 A. Same day.

12 Q. Tell me what you remember.

13 A. I remember there was -- it was a  
 14 raucous in the house with all the cops in  
 15 there, one of the blues, you know -- because I  
 16 called them back in the day the blue boys, and  
 17 they started asking me questions, whether they  
 18 shot the -- did I saw the shooting and I said  
 19 yes. And they said who, and I said, you know,  
 20 I refer -- I said there was -- they asked me  
 21 what direction did the car go, and I said the  
 22 other way and I said they were Latin Kings that  
 23 did it, Latin Kings that did it.

24 And that's when they started  
 25 bringing me pictures, as I recall, and I

58

60

15 (Pages 57 to 60)

1 started seeing books of the Latin Kings, and as  
 2 I saw them -- I'm assuming two books I went  
 3 through probably or -- and then I finally  
 4 pointed out Jacques Rivera at the point because  
 5 he, you know, resembled the shooter at the  
 6 time, and that was pretty much it.

7       They asked me are you sure? Are  
 8 you sure? And at the moment I said yes, I was  
 9 sure that he was the shooter at that time. And  
 10 they went from there.

11       Q. I've actually skipped over one  
 12 thing. When the shooter got into the car, what  
 13 direction of travel did the car take?

14       A. Went east and then turned south.

15       Q. And did that have any significance  
 16 to you at that time?

17       A. At the time that's the reason why I  
 18 assumed they were Latin Kings that did the  
 19 shooting.

20       Q. And tell me why was that?

21       A. Because the gang that my  
 22 brother-in-law was in, they were, you know,  
 23 Maniac Campbell Boys, so I was, you know -- the  
 24 assumption was, okay, they were the ones  
 25 because they were watching probably, and that's

1 hair that connected up to that -- to those gang  
 2 colors?

3       A. They were pretty much the similar  
 4 colors they had on. They were black and yellow  
 5 on his -- he had a ponytail. I call it a  
 6 mullet now and it was just dyed back there,  
 7 dyed the color yellow or -- it was yellow to  
 8 me, so --

9       Q. It appeared to be a yellow dye of  
 10 the hair?

11       A. Correct.

12       Q. Anything else about the hair that  
 13 you noticed?

14       A. That was it.

15       Q. Now, on that first night, did you  
 16 talk to any police officers outside of your  
 17 apartment?

18       A. No, I did not.

19       Q. The only police officers you talked  
 20 to --

21       A. Were inside.

22       Q. -- were inside?

23       A. Inside correct.

24       Q. I know you said that you talked to  
 25 some uniformed officers, which you referred to

61

63

1 when they head down to the -- the reason why  
 2 the assumption came about was the fact that  
 3 they went down south on Spaulding.

4       Q. And what was significant about  
 5 that?

6       A. That was the territory of the Latin  
 7 Kings.

8       Q. Other than the fact that Felix,  
 9 your -- did you refer to Felix as your  
 10 brother-in-law?

11       A. No. My brother-in-law was Israel  
 12 Valentin.

13       Q. Other than the fact that Felix was  
 14 a Campbell Boy and the car went off down  
 15 Spaulding to the south, is there any other  
 16 thing that made you conclude that the shooter  
 17 was a Latin king?

18       A. His hair, the color of his hair.

19       Q. Tell me about that.

20       A. In Chicago Latin Kings wear their  
 21 black and yellow, they -- you know, that's  
 22 their pride. They proudly wear their colors,  
 23 and that was another way of showing their  
 24 affiliation of their gang.

25       Q. And what was it about the shooter's

1 as blue boys, did you talk to any officers that  
 2 first night who were not in uniform, who were  
 3 wearing plainclothes?

4       A. That I do not recall. I just  
 5 remember blue boy -- you know, the uniform  
 6 officers.

7       Q. Now, I need to be clear with you  
 8 about one thing, okay, and I'm not trying to  
 9 suggest one thing or another. I just want to  
 10 understand. Sometimes we say, you know, I  
 11 don't remember something, and I'm saying I  
 12 don't remember because I'm telling you I don't  
 13 remember that. I don't know if that happened.

14       Another time we say I don't  
 15 remember is when, you know, it could have been,  
 16 maybe, maybe not, I'm just not sure, I don't  
 17 remember. In terms of the question I just  
 18 asked about talking to nonuniform police  
 19 officers, which is it, I don't remember, maybe,  
 20 or I don't remember because I'm pretty sure  
 21 not?

22       A. Blue boys, that's what I remember  
 23 talking to, blue boys.

24       Q. All right. Fair enough. Was there  
 25 one officer in particular that you talked to or

62

64

16 (Pages 61 to 64)

1 sat down with you?  
 2 A. Look, I'm going to tell you right  
 3 now what I remember was it was chaotic in my  
 4 home. There was a lot of people in and out of  
 5 my apartment, and all I remember just the  
 6 officers that were in my home. They were  
 7 asking me questions. They were showing me  
 8 pictures. And they were just showing me the  
 9 pictures of who, what, where, and why, and how,  
 10 and because, and I answered those questions at  
 11 the time to the best of my ability at the time.  
 12 That's when I was a young child.

13 Q. And so just to be clear, you told  
 14 them what you had seen.

15 Did you tell them what you had seen  
 16 just as you recounted it here a few minutes  
 17 ago?

18 A. Correct. I told them exactly what  
 19 I told you which direction they went, what he  
 20 was wearing, it sounded like a BB -- you know,  
 21 just tell them everything I knew at the time,  
 22 what I saw.

23 Q. Any difference between what you  
 24 testified here this morning and what you told  
 25 those uniformed officers that night?

1 and -- that was pretty much -- we nipped it in  
 2 the bud right there that night.  
 3 Q. Now, how much time went by between  
 4 when you said I believe the guy is a Latin King  
 5 and they showed you the books? Did they have  
 6 to go get the books from someplace?  
 7 A. Honestly I don't recall where they  
 8 got the books somewhere or not. I just knew  
 9 they had books and -- like I said, I remember  
 10 telling my sister who did it. She came back  
 11 with the cops because that's when -- you know,  
 12 that's when they came back and I recall my  
 13 sister being in there. And that's where we  
 14 went from.

15 And at the time my mother was very  
 16 upset at me. She was just telling me to shut  
 17 up, don't say nothing, and that's how  
 18 everything went about.

19 Q. So when you say your sister, which  
 20 sister are you referring to?

21 A. Marilyn Lopez.

22 Q. And what was the conversation  
 23 between you and Marilyn?

24 A. I just told her who did it and that  
 25 was enough said, and then that's when she --

65

67

1 MR. GIVEN: Objection. Form.  
 2 A. Only thing just like I said at the  
 3 moment and what was presented me at the time  
 4 was the pictures of the Latin Kings. I pointed  
 5 out to the Latin Kings. And I told them the  
 6 direction they went. And that was pretty much  
 7 it.

8 Q. Did they -- let me ask you this.  
 9 As best as you can remember, I understand it  
 10 was chaotic and it's been long time ago and  
 11 that you were young at the time. I just need  
 12 to ask, and if you can't say any more than what  
 13 you've said, that will be fine, but I do need  
 14 to ask.

15 Can you, as best you can describe  
 16 it, tell me what they asked you about the  
 17 shooter?

18 A. What they asked me was just are you  
 19 sure? They asked me, did you see the shooter?  
 20 I said yes. When I said yes they said who was  
 21 it, what gang -- they asked me no gangs. I'm  
 22 the one that pointed out the gang. Once I  
 23 pointed out the gang, then they addressed me to  
 24 the books and from the books I pointed out the  
 25 individual and then after that, that was said

1 everything -- that's when all the cops came  
 2 that night, and I was doing my part to help the  
 3 police.

4 Q. And to be clear, when you told  
 5 Marilyn who did it, what did you say to her?

6 A. I know who did it. I know who did  
 7 it. That was it.

8 Q. And was that -- and what did you  
 9 mean by that, that you knew the name of the  
 10 individual or what?

11 A. No, not the -- I didn't know the  
 12 individual. I just said I know who did it and  
 13 before the -- before it led up to the cops  
 14 coming to my house she ran -- she actually  
 15 walked towards the east to go to Campbell and  
 16 LeMoyne to go with her husband -- well, they  
 17 never got married, but Moe, her boyfriend, to  
 18 go -- because she was hysterical and she walked  
 19 all the way towards Campbell, and that's why I  
 20 just remember her walking, and the direction  
 21 she was walking was to go to the neighborhood  
 22 of Campbell and LeMoyne to be with her -- to be  
 23 with him and the family. That's what I'm  
 24 assuming she did, and that's pretty much what  
 25 happened then, pretty much.

66

68

17 (Pages 65 to 68)

1 Q. Did the police come back with her  
2 then later on?  
3 A. I just remember her being there.  
4 Q. Now, will you describe the books  
5 that were brought to your home that you looked  
6 at, just best description you can give other  
7 than that?  
8 A. They were like that (indicating).  
9 What is that called, binders? They were  
10 binders full of pictures in them.  
11 Q. And you're indicating a binder  
12 that's here on the table, and obviously didn't  
13 completely resemble the binder, we understand  
14 that, but it looks somewhat like that?  
15 A. Somewhat like that.  
16 Q. And it was like a loose leaf  
17 binder with --  
18 A. Correct, where you flip the pages  
19 and you was able to see through it.  
20 Q. The binder that you've indicated on  
21 the table here is maybe about two and a half,  
22 three inches thick, is that similar to the  
23 binders that you looked at on the night Felix  
24 was shot?  
25 A. Yes.

69

1 Q. So they told you that there were  
2 Latin Kings in the binders?  
3 MR. GIVEN: Objection.  
4 Mischaracterizes his testimony.  
5 A. They never told me they were Latin  
6 Kings. I'm the one that -- I was the one that  
7 said they were Latin Kings, and they brought me  
8 the books. And in the binder were just Latin  
9 Kings in there. Nobody told me, yeah, these  
10 are the books of the Latin Kings. They never  
11 said that.  
12 Q. Got it. My apologies. I don't  
13 want to mischaracterize anything.  
14 So what made you conclude that  
15 there were pictures of Latin Kings in the  
16 binders?  
17 A. Because I said that the suspect was  
18 a Latin King, that did the shooting, and that's  
19 a Latin King, so they brought me a book of  
20 Latin Kings.  
21 Q. And that was just your assumption?  
22 A. Correct.  
23 Q. Fair enough.  
24 And did somebody sit with you while  
25 you were looking at the pictures in the books?

71

1 Q. Can you estimate how many pages  
2 were in the binder?  
3 A. That I can't tell you. I don't  
4 want to assume what was in there and what was  
5 not. I just -- like I said, I saw just saw the  
6 pictures and it was a nice thick binder and  
7 there was a lot of pictures in them.  
8 Q. How many binders did you look at?  
9 Actually, before I ask you that let me ask you  
10 this.  
11 How many binders were brought to  
12 your home?  
13 A. There was a few.  
14 Q. Were there more binders brought to  
15 your home than you looked at?  
16 A. All I could tell you is, if my  
17 memory serves me right, when that event  
18 happened I think I saw one or one -- either one  
19 or two at the most, tops two, that -- that way  
20 if my mind serves me right.  
21 Q. What did they say to you about the  
22 binders?  
23 A. That I don't remember what they  
24 told me. They just showed me here's the Latin  
25 Kings and that was it. That's all I remember.

70

1 A. There were cops all around me.  
2 Q. Was there a -- did you sit at a  
3 table?  
4 A. No. I was at a chair.  
5 Q. And were you talking to a police  
6 officer as you were looking at the books?  
7 A. They let me be and let me -- just  
8 take your time. Just look at the pictures.  
9 Q. How long did you look at pictures  
10 for?  
11 A. Remember I was a child. I can't  
12 really tell you an hour or two. I cannot tell  
13 you that. I just remember looking through some  
14 and picking out Jacques Rivera.  
15 Q. Can you estimate how many pictures  
16 you looked at?  
17 A. If you want me to give you a  
18 number, I cannot give you a number.  
19 Q. Can you ballpark it for me?  
20 A. Probably -- let's just say I went  
21 through a book. I don't want to assume it. I  
22 don't want to say that I did how many. I don't  
23 want to do that. I want to be clear to what I  
24 said. I don't want to add on or take away. I  
25 don't want to do that. I want to stick to what

72

1 I remember, and that's what I remember just  
 2 going through a book of pictures of Latin Kings  
 3 and once I came to that -- when I saw the  
 4 individual, which was Jacques Rivera, I pointed  
 5 him out and they asked me are you sure? Are  
 6 you sure? And my response was yes, I am.  
 7 Nobody pressured me to doing anything. I just  
 8 went based on what I felt and what I saw and  
 9 the resemblance of Jacques Rivera.

10 Q. What was it about the picture of  
 11 Jacques Rivera --

12 A. His hair in the picture that they  
 13 showed me -- that I saw. They didn't show me.  
 14 I saw. They brought to me and I saw that it  
 15 was -- the hair was the similar hair style.

16 Q. Other than the hair, was there  
 17 anything else about --

18 A. To me they resembled --

19 Q. Hang on. You've got to let me ask  
 20 the question before --

21 A. I apologize.

22 Q. No worries. Other than the hair,  
 23 was there anything else about Jacques Rivera's  
 24 appearance in the photograph that caused you to  
 25 select his picture?

1 officer said to you while you were looking at  
 2 the pictures before you got to Mr. Rivera's  
 3 picture?

4 A. I don't remember that.

5 Q. After the officers asked you are  
 6 you sure, are you sure, and you said yes, what  
 7 other conversation was there between you and  
 8 the police that night?

9 A. They would be in contact. They  
 10 would be in contact.

11 Q. Did they say anything else to you  
 12 at all?

13 A. That I don't -- like I said, I  
 14 don't -- I just remember picking out. They saw  
 15 who it was -- they pointed out -- my vivid --  
 16 the memory of it was after I did all that they  
 17 left and any conversation was probably with my  
 18 mother.

19 Q. All right. Now, when after this  
 20 occasion is the very next time that you had any  
 21 interaction with any Chicago police officer  
 22 about Felix's shooting? What's the next thing  
 23 that happened?

24 A. The next person that came into as  
 25 far as another officer was a detective, the

73

75

1 A. He looked like the shooter.

2 Q. Can you point -- I realize that.  
 3 Can you point to anything else?

4 A. The hair and the way his features  
 5 were.

6 Q. Can you say anything about the way  
 7 his features were?

8 A. He have olive skin at the time --  
 9 he looked olive skinned in the picture also and  
 10 that's what he looked like.

11 Q. Anything else that you can report?

12 A. No.

13 Q. Now can you describe the officer  
 14 who said to you are you sure, are you sure,  
 15 after you pointed to Jacques Rivera's picture?

16 A. That I cannot tell you because I do  
 17 not remember who it was.

18 Q. Was this an officer with a uniform  
 19 on?

20 A. Yeah, all the officers was around  
 21 me.

22 Q. Were there a number of officers  
 23 around you as you were looking at the pictures?

24 A. Correct.

25 Q. Do you remember anything that any

1 detective. I don't remember his name, but I  
 2 remember the feature. He had like, you know, a  
 3 fro with some glasses, and he was the only one  
 4 that was talking to me after that.

5 Q. When you say fro, do you mean --  
 6 you mean like the kinky hair --

7 A. Yeah, you want to call it kinky,  
 8 yes.

9 Q. I don't want to disrespect anybody;  
 10 okay?

11 A. No, you --

12 Q. If that's not a word that you would  
 13 use, I don't want to --

14 A. I know, that's why I'm saying fro.

15 Q. Fro, okay. And how long was his  
 16 fro?

17 A. Just a regular nice, you know,  
 18 trimmed -- not trimmed, but, you know, it was a  
 19 nice height. You know, he had a fro.

20 Q. And did he have any facial hair?

21 A. Yeah, mustache.

22 Q. And you said he wore glasses?

23 A. Correct.

24 Q. And what was he light skinned or  
 25 dark skinned?

74

76

19 (Pages 73 to 76)

1 A. Light skinned.  
 2 Q. Now, you say that he was the  
 3 officer who was dealing with you after that?  
 4 A. Correct.  
 5 Q. When -- did you see that -- we'll  
 6 call him the officer with the fro; okay?  
 7 A. I'm just going to call him  
 8 detective, just refer to him as detective.  
 9 Q. The detective?  
 10 A. Yes.  
 11 Q. Did you have any interaction with  
 12 the detective on that first night when you were  
 13 looking at gang books?  
 14 A. I don't recall that day. I just  
 15 recall the officers.  
 16 Q. Fair enough. I was just checking.  
 17 Now, so when is the first time that  
 18 the detective showed up and what happened?  
 19 A. Now that I sit back and see the  
 20 time, man, I just recall being in his car,  
 21 going to the lineup. That's the only thing I  
 22 can remember him prior to the shoot -- you  
 23 know, after the shooting to take me to the  
 24 lineup if my memory serves me right.  
 25 Q. Now, you've testified earlier today

77

1 A. He was just, you know --  
 2 MR. GIVEN: Objection. Form.  
 3 A. He was just saying, you know, in  
 4 the sense of, you know, you did your job. You  
 5 know, I'm just telling you what -- like to  
 6 ensure me everything was going to be okay with  
 7 me. That was it pretty much.  
 8 I can't tell you if he said -- I  
 9 don't want to put words saying great or not,  
 10 but in the lines of, you know -- what's the  
 11 word I'm looking for here, I apologize, just  
 12 assuring me everything was going to be fine,  
 13 and you know, you did a -- in other words you  
 14 did a good job. I'm not saying he said that,  
 15 but I'm just saying in that line of  
 16 conversation.  
 17 Q. So without recalling the words that  
 18 he used he conveyed to you in substance that  
 19 you had done a good job?  
 20 A. Yes.  
 21 Q. And who is the officer who drove  
 22 you to the first lineup?  
 23 A. I cannot remember who drove. I'm  
 24 just saying that I remember him. To say it was  
 25 him, you know what I mean? I just remember

79

1 that there were two line ups, is it the first  
 2 or the second?  
 3 A. First and second -- it was -- like  
 4 I said, after that he was the one that I was  
 5 talking to after. You know, first and second  
 6 and pretty much it.  
 7 Q. Now, what do you remember about him  
 8 as you remember back to the first lineup that  
 9 you saw, what do you remember happening, just  
 10 tell us as best you can recall?  
 11 A. About him?  
 12 Q. About any interactions that you had  
 13 with him in connection with that first lineup?  
 14 A. Nothing out of the ordinary. You  
 15 know, just -- you know, you did a great jo --  
 16 you know how -- they were ensuring me that  
 17 nothing was going to happen to me, and that was  
 18 pretty much that I remember and that was it  
 19 pretty much. Nothing -- he didn't -- he didn't  
 20 say nothing out of the ordinary, just --  
 21 Q. You -- I believe you started to say  
 22 that he told you you did a great, and then you  
 23 stopped.  
 24 Can you recall him saying something  
 25 about -- along those lines?

1 being there. Like I said, after the lineups  
 2 and all that stuff, I knew he was there and he  
 3 was always ensuring me everything was going to  
 4 be fine. You know, nothing was going to happen  
 5 to me because I was afraid of the area at the  
 6 time and stuff like that, so --  
 7 Q. Did someone come to your home and  
 8 ask you to look at the first of the two lineups  
 9 that you saw, do you recall that at all?  
 10 A. I don't recall that.  
 11 Q. What do you remember about that  
 12 first lineup? Do you remember where it took  
 13 place?  
 14 A. I just remember being inside of  
 15 this -- the location I can't tell you that. I  
 16 don't remember that. I just remember being  
 17 inside the building. They put the gentleman  
 18 inside the line and I was inside and I pointed  
 19 out the -- I pointed out Jacques Rivera the  
 20 first time.  
 21 Q. When you say the building, what  
 22 building do you mean?  
 23 A. The station, police station.  
 24 Q. Was a police officer with you while  
 25 you were looking at the lineup?

78

80

1 A. There was family member -- I think  
 2 it was just -- yeah, there was a detective in  
 3 there.

4 Q. And was the detective who was in  
 5 there as you were looking at the lineup, was  
 6 that the detective that you mentioned before?

7 A. I just remember a detective being  
 8 in there and if -- my brother-in-law's father  
 9 was also in there also with me.

10 Q. Felix's father?

11 A. Correct. And that's all I  
 12 remember.

13 Q. All right. Is it your testimony  
 14 that you don't remember which detective it was  
 15 who was in there?

16 A. Yeah, I just don't remember the  
 17 detective that was in there. I just remember  
 18 there was detectives in there, and I just  
 19 remember Israel's father. That I do remember.

20 Q. You said Angel's father?

21 A. Israel.

22 MS. ROSEN: Israel.

23 Q. I'm sorry, I misheard you.

24 Can you tell me anything about the  
 25 setup where you looked at the lineup? Were you

1 MR. GIVEN: Same objection.

2 MR. BOWMAN: I didn't finish the  
 3 question.

4 MR. GIVEN: Okay.

5 Q. After you picked out the person you  
 6 believed was Jacques Rivera, did the police say  
 7 anything to you?

8 MR. GIVEN: Objection. Form.

9 A. First and foremost it was not I  
 10 believe. I knew it was him. And I just  
 11 remember picking him out, telling him that was  
 12 him. They asked me for sure. I said yes, that  
 13 was him. And that night was over with for me.  
 14 I was driven back home and that was it.

15 Q. Who was the person who asked you if  
 16 you were sure?

17 A. The whoever was in the room as far  
 18 as the detective. I just don't remember which  
 19 detective it was.

20 Q. Do you know how long you spent at  
 21 the police station the night of the first  
 22 lineup?

23 A. No, I do not remember.

24 Q. Is there anything else that you  
 25 remember about that first lineup that you

81

83

1 in the same room with the guys in the line or a  
 2 different room?

3 A. Different room.

4 Q. Tell me what was between you and  
 5 the guys.

6 A. Glass.

7 Q. Was it like a two-way mirror?

8 A. Yes.

9 Q. Now, you say you picked out Jacques  
 10 Rivera, how do you know you picked out Jacques  
 11 Rivera?

12 A. Because I pointed him out.

13 Q. How do you know that it was Jacques  
 14 Rivera who you picked out?

15 A. Like I said, the picture, then I  
 16 saw him and then that was him.

17 Q. After you picked out Jacques  
 18 Rivera, the person you believed was Jacques  
 19 Rivera, did --

20 MR. GIVEN: Objection. Form.

21 Mischaracterizes his testimony.

22 MS. ADAMS: Uh-oh, just throw it.

23 MR. GIVEN: I would love to.

24 Q. After you picked out the person you  
 25 believed was Jacques Rivera, did you --

1 haven't told us?

2 A. I just remember that. That was it.

3 Q. On that night that you went the  
 4 first time to look at the lineup, did the  
 5 police conduct an interview of you? Did they  
 6 ask you questions again about what you had  
 7 seen?

8 MR. GIVEN: I'll object. Form.

9 A. I don't recall that -- I don't  
 10 recall that conversation. I just remember  
 11 picking out the -- Jacques Rivera and going  
 12 about my business, going home. I don't  
 13 remember no conversations after that. None of  
 14 that stuff I don't recall.

15 Q. How about before, were you asked  
 16 any questions?

17 A. No, I don't remember about any --

18 Q. Now, after you picked out the  
 19 person you've testified was Jacques Rivera --

20 MR. GIVEN: Object. I'm sorry,  
 21 I'll let you finish your sentence.

22 Q. After you picked out the person who  
 23 you testified was Jacques Rivera, did anything  
 24 happen to cause you to doubt your  
 25 identification?

82

84

21 (Pages 81 to 84)

1       A. No.  
 2            MR. GIVEN: Objection. Form on a  
 3 few different levels, but objection, form. You  
 4 can answer, go ahead.  
 5       A. No.  
 6       Q. Was there an occasion in the  
 7 vicinity of First and School?  
 8       A. Okay. I know where you're going  
 9 with this question, and I'm going to answer you  
 10 the way I answered everybody else.  
 11          The first one I pointed out Jacques  
 12 Rivera. After that happen, after it was all  
 13 said and done, now I'm walking down Armitage  
 14 going to my father's house --  
 15       Q. Okay. Time out.  
 16       A. Okay, because I know the question  
 17 you're asking me, I don't know if you're trying  
 18 to put words in my mouth. I feel that's the  
 19 way you're going about it, and I want to stick  
 20 to what I said and this is -- you know, I  
 21 apologize to everyone. I'm getting upset about  
 22 it. I just want to stick to what I just said  
 23 and what I remember exactly.  
 24          Like I said, the first time this is  
 25 what I said. I said it was him. There was

85

1 and School after -- a few days after that first  
 2 lineup --  
 3            MR. GIVEN: Objection. Form.  
 4       Q. -- about this case?  
 5            MR. GIVEN: Objection. Form. You  
 6 can answer.  
 7            MR. BOWMAN: What's wrong with the  
 8 form?  
 9            MR. GIVEN: Objection. Form. I  
 10 didn't like some of the words that you used.  
 11 If you want me to make speaking objections,  
 12 I'll be happy to, I was --  
 13          MR. BOWMAN: If you have an  
 14 objection as to form, I was going to try to  
 15 cure it because I didn't think there was.  
 16          MR. GIVEN: I thought asking was  
 17 there anything unusual that happened in the  
 18 next few days was an objectionable -- a form  
 19 objection.  
 20          MR. BOWMAN: Okay. Well, let me  
 21 try a different question. I don't want to make  
 22 this anything more than it has to be.  
 23 BY MR. BOWMAN:  
 24       Q. Do you remember seeing somebody  
 25 that you connected with the shooting after that

87

1 nothing after that. That was it. I went  
 2 straight home, and end of story on that one.  
 3       Q. I've got that. And I'm not trying  
 4 to suggest that you're saying anything  
 5 different or to make you say anything  
 6 different. I've got what you're saying.  
 7          I'm asking you after that was all  
 8 said and done, did something happen to cause  
 9 you to change your feelings about the case?  
 10 That's all I'm asking.  
 11       A. Well, you --  
 12       Q. And the other way I can ask it is  
 13 was there a time where you were going by First  
 14 and School on your way to your father's house  
 15 when you saw something? That's all I'm trying  
 16 to get. I'm just trying to get you to --  
 17       MR. GIVEN: Hold on. I object to  
 18 the form of the question. That wasn't even a  
 19 question, Locke. You're having a conversation  
 20 with him and telling him I could ask you this  
 21 way. I can ask you that way. That is improper  
 22 questioning for this deposition. If you have a  
 23 question, ask it.  
 24       Q. Okay. Let me ask this question  
 25 then. Did anything unusual happen near First

86

1 first lineup?  
 2       A. After the lineup?  
 3       Q. Yes, sir.  
 4       A. Yes.  
 5       Q. Okay. Can you tell me about that,  
 6 please?  
 7       A. Well, after the lineup, you know, a  
 8 couple things happened. I ended up walking  
 9 down on my way to go down Armitage, First and  
 10 School, Armitage and Central Park, I saw the  
 11 gentleman that actually shot my  
 12 brother-in-law's brother, Felix, and saw him  
 13 shake up with another member of this gang,  
 14 which was the Imperial Gangsters and right  
 15 there and then I knew I made a mistake and I  
 16 ran for my life, because I was scared at the  
 17 time and I just ran. I just remember running,  
 18 you know, because I was just scared.  
 19       Q. Can you tell me just in terms of  
 20 where on the street, the best estimate you have  
 21 of the address where you saw this guy?  
 22       A. It was right there by a hotdog  
 23 stand on Central Park and Armitage across the  
 24 street from Funston School. I was across the  
 25 street. He was on the other side. Where is

88

22 (Pages 85 to 88)

1 that at? So I can give you a better  
 2 description here, he was on the north side of  
 3 Armitage and I was on the South Side of  
 4 Armitage over the -- you know, on the other  
 5 side of it, and I saw him there shaking hands  
 6 with his other gang member.

7 Q. Were you directly across the street  
 8 from him?

9 A. Correct.

10 Q. How far would you estimate you were  
 11 across Armitage at that time?

12 A. Like from here to -- you open up  
 13 the door where the lady is sitting, that's how  
 14 -- you know, the streets are not that wide, so  
 15 I'm over here (indicating), like right about  
 16 over in that corner.

17 Q. So indicating maybe 30 feet,  
 18 something like that?

19 A. I guess.

20 Q. And what was it about this guy that  
 21 caused you to immediately recognize that he was  
 22 the shooter?

23 A. Son of a -- excuse my language.  
 24 Not you. He was wearing the same black jacket,  
 25 same tail, same hair style. Man, that's when I

1 Imperial Gangsters.

2 Q. So did you immediately recognize  
 3 that as Imperial Gangsters handshake?

4 A. Yes.

5 Q. And what, does one individual press  
 6 his index finger against the other individual's  
 7 index finger together with the thumb and the  
 8 third finger?

9 A. You're throwing up a diamond, but  
 10 no.

11 Q. I don't --

12 A. If you want a history of gang signs  
 13 I can do that. You know, if you want me to put  
 14 handshakes up, I mean they're gangsters. I  
 15 know the difference between that. I mean, I  
 16 was a gang member myself.

17 Q. Okay. I don't. All right?

18 A. I understand that, but I just feel  
 19 like I'm being antagonized with this question.  
 20 I apologize.

21 Q. I --

22 A. The Imperial Gangsters, there's no  
 23 point picking black and yellow. I know the  
 24 difference from the gang. Simple as that. It  
 25 was a gangster.

89

91

1 knew that was the individual.

2 Q. Was that individual that you saw at  
 3 that location Jacques Rivera?

4 A. Oh, no, that was not Jacques  
 5 Rivera, no.

6 Q. Other than the hair style, the  
 7 clothes, and in particular the fact that he was  
 8 wearing the same jacket, was there anything  
 9 else about him that caused you to immediately  
 10 recognize he was the shooter?

11 A. Just the face. I just recognized  
 12 his face vividly.

13 Q. Did you see him do anything?

14 MR. GIVEN: Objection. Form.

15 A. Just handshake with his other gang  
 16 member. That was it.

17 Q. Can you describe the handshake?

18 A. Do I really got to throw gang  
 19 signs, man?

20 Q. I'm afraid I have to ask you to,  
 21 yes, sir.

22 MS. ADAMS: I don't know who you're  
 23 going to do it with because I'm not doing it  
 24 with you.

25 A. Well, like this (indicating)

1 Q. And, Mr. Lopez, I know that you  
 2 know it. I know that I don't know it, and I'm  
 3 guessing the folks on the jury are not going to  
 4 know it either, and that's why I'm asking you  
 5 so I'm asking you to explain to the folks who  
 6 are going to hear this case. That's the only  
 7 reason I'm asking you. I don't want --

8 A. I just look like a fool here --

9 MS. ADAMS: No, you don't.

10 A. -- doing what I'm doing here  
 11 throwing gang up signs. I hate gangs. They  
 12 destroyed my life. They destroyed a lot of my  
 13 family members' life. And for you to just come  
 14 and tell me to throw up gang signs, man, you  
 15 just don't know.

16 MS. ADAMS: So we're going to take  
 17 a break.

18 MR. GIVEN: That's a good idea.

19 A. I hate gangs.

20 MS. ADAMS: Come on.

21  
 22 THE VIDEOGRAPHER: Off the record  
 23 12:53.  
 24 (Recess taken 12:53 p.m.)  
 25 -----

90

92

23 (Pages 89 to 92)

1           THE VIDEOGRAPHER: Back on the  
 2 record. The time is 1:00.  
 3           (Deposition resumed 1:00 p.m.)  
 4        Q. At the point that you saw this  
 5 fellow on the other side of Armitage throwing  
 6 up the gang sign wearing the same black coat,  
 7 did you realize at that point that the guy you  
 8 had picked out from the gang books at your home  
 9 a few nights before had not actually been the  
 10 shooter?

11      A. Correct.

12      Q. Now, after this seeing this guy on  
 13 Armitage, when is the next thing that happened  
 14 with the police in this case that you remember?

15      A. Well, what I remember is going to  
 16 the second lineup, I'm assuming is the second  
 17 lineup. It is the second lineup and talking --  
 18 you know, not talking, but just going there  
 19 knowing that it was the wrong guy. And then I  
 20 started telling some, either a lady or a man,  
 21 it's the wrong guy. It's the wrong guy. And  
 22 they said, well, don't be afraid. Everything  
 23 is going to be all right. And I just -- okay,  
 24 you know, kept on saying it was the wrong guy  
 25 and nobody really -- they didn't force me to

1           Q. I'd like to get your best  
 2 recollections of who was there when you told  
 3 whoever you told that it was the wrong guy.  
 4      A. It was a gentleman and a lady.  
 5      Q. Can you describe the gentleman,  
 6 please?  
 7      A. The gentleman I think was the  
 8 detective. I think it was the detective, and  
 9 then there was -- the lady that came up to me  
 10 -- it was also a lady. She was not dressed up  
 11 in -- to me she didn't look like no detective.  
 12 Came up to me. She had like a binder full of  
 13 papers like how you guys carry your work, and  
 14 assured me that everything was fine. She was a  
 15 white Caucasian lady -- Am I right,  
 16 Caucasian -- with either white or yellow hair.  
 17 I just don't recall. I think it was white, but  
 18 it could have been yellow. I mean, blond, but  
 19 to me I think it was white at the time, and  
 20 that's who I talked -- that's who I said and  
 21 they were just assuring me that everything was  
 22 going to be all right.

23      Q. Now, in terms of the gentleman who  
 24 was there, I understood you to say that it was  
 25 the same detective with the fro who you

93

95

1 say okay, no, you're going to stick to your  
 2 story. That was never the case.  
 3       The case was that, you know, they  
 4 thought I was just afraid for my life, and they  
 5 were just assuring me that everything was going  
 6 to be okay. So at that moment me, myself and I  
 7 stuck with the story of it being Jacques Rivera  
 8 and pointed him out again and that was the end  
 9 of the story of that.

10      Q. Now, did someone come to your home  
 11 and ask you to look at a second lineup? Do you  
 12 remember that?

13      A. That I don't remember.

14      Q. Do you remember how you got to the  
 15 police station for the second lineup?

16      A. That one I don't -- I just -- like  
 17 I said, I just remember being there, telling  
 18 them it was the wrong guy, and I don't remember  
 19 how I got there. I just remember being there.

20      Q. I'd like to get your best  
 21 recollections of who was present when you told  
 22 the police that it was the wrong guy.

23      A. Well --

24      MR. GIVEN: Objection. Form.

25      MR. BOWMAN: I'll rephrase.

1 testified about before; is that accurate?

2           MR. GIVEN: Objection  
 3 mischaracterizes.

4      A. I just don't know. Like I said, I  
 5 think it was him, him and then a lady and they  
 6 were both assuring me everything was going to  
 7 be fine.

8      Q. Could you please give me your best  
 9 recollection, and I know it's a long time ago,  
 10 that you were young at the time and so forth,  
 11 your best recollection of what you said in the  
 12 presence of the gentleman and the lady?

13      A. That's not the person. The wrong  
 14 guy, wrong guy, wrong guy. And that was pretty  
 15 much it.

16      Q. Did you tell them how you had come  
 17 to realize that it was the wrong guy?

18      A. I didn't tell them. I just said it  
 19 was the wrong guy, wrong guy. And now this is  
 20 assumptions. This is not -- I know we're here  
 21 about facts. I'm just saying -- I just said it  
 22 was the wrong guy, wrong guy. I never told  
 23 them it was an Imperial Gangster. I never told  
 24 them none of that stuff.

25      Q. When you said it's the wrong guy,

94

96

24 (Pages 93 to 96)

1 it's the wrong guy, what did they say to you?  
 2 A. They were assuring me don't be --  
 3 you know, they didn't force me either way.  
 4 They were just assuring me don't be afraid.  
 5 You know, everything is going to be just fine.  
 6 They assumed that I was afraid and I wanted to  
 7 change my story, because I was afraid, but that  
 8 was not the case.

9 You know, they're not telling me,  
 10 you know -- they're not telling me that no, you  
 11 have to stick to your story. They never told  
 12 me that. They just seen what I told them, and  
 13 they were just assuring me you're going to be  
 14 fine, nothing is going to happen to you, and  
 15 that's it.

16 Q. Do you remember anything else about  
 17 the conversation other than what you said?

18 A. That was it.

19 Q. What happened after this  
 20 conversation?

21 A. I went like every little kid does  
 22 want to go back to playing base -- you know,  
 23 doing what he does. I didn't know the  
 24 magnitude of the -- you know, I didn't know how  
 25 serious the case was, you know, the seriousness

1 pointed out -- I just remember pointing out  
 2 Jacques Rivera after the conversation. That's  
 3 what I remember vividly in my head where I just  
 4 went back and just -- whether it was before or  
 5 after, I just pointed out after I said what I  
 6 had to say and pointed out Jacques Rivera  
 7 again.

8 Q. Did you point him out in a lineup?

9 A. Correct.

10 Q. And was it in the same lineup room  
 11 where you had --

12 A. Been before?

13 Q. Yes.

14 A. Yes.

15 Q. Can you tell me who was with you  
 16 from the police when you looked at the lineup?

17 A. That I do not recall -- remember  
 18 who was with me inside there at this time.

19 Q. Was the detective with the fro  
 20 present with you when you looked at the lineup?

21 A. I'm not understanding -- like I  
 22 said, I just remember facing at the mirror -- I  
 23 mean at the window and pointed out. There was  
 24 detective in there, but I don't know who was in  
 25 there.

97

99

1 of this -- you know, of a murder. I was a kid.  
 2 I just wanted to go back to my playing ways as  
 3 a kid. I didn't think nothing afterwards. You  
 4 know, I just went about my business.

5 Q. Can you tell me where this  
 6 conversation took place in which you said wrong  
 7 guy, wrong guy?

8 A. At a station.

9 Q. Was it the same station as the  
 10 first lineup where you had been before?

11 A. Yes. I assume it was the same one  
 12 because after that I pointed out -- I again  
 13 went to the lineup and pointed out Jacques  
 14 Rivera.

15 Q. Do you remember where in the  
 16 station it was?

17 A. That I can't tell you.

18 Q. Other than the gentleman and the  
 19 lady, was anyone present who heard this  
 20 conversation other than those two?

21 A. Just us three.

22 Q. After this conversation, did you  
 23 look at a lineup?

24 A. That's when I went back and went  
 25 into the lineup, and I guess that's when they

1 Q. Do you remember anything that any  
 2 detectives said to you while you were looking  
 3 at the lineup?

4 A. No.

5 Q. And how do you know that it was  
 6 Jacques Rivera that you picked out on the  
 7 second lineup?

8 A. Because I pointed him out.

9 Q. And what -- how did you know to  
 10 point him out in particular?

11 MS. ROSEN: Objection. Form.

12 A. Here we go again. You go in the  
 13 room. They put me in the room. Saw the  
 14 gentleman. And I picked him out. Simple as  
 15 that.

16 Q. I'm going to try one more time.

17 Forgive me for pressing it, but it's the last  
 18 question and then I'll stop.

19 Q. Can you tell me what it was about  
 20 Jacques Rivera that caused you to know that he  
 21 was the person that you would be picking out?

22 MS. ROSEN: Objection. Form.

23 MR. GIVEN: Objection.

24 A. Because I already picked him out  
 25 before. So as a kid, recanting my -- this is

98

100

25 (Pages 97 to 100)

1 me talking now that I'm an adult, recanting my  
 2 story at the time, you know, as a kid I'm  
 3 afraid, and then, you know, I'm just picking  
 4 out somebody else because now I told -- now  
 5 thinking back in my emotions, a kid, you know,  
 6 nobody wants to listen to me at a point because  
 7 I got the wrong guy, and then everybody is  
 8 assuring me everything is going to be fine. As  
 9 a kid you're thinking, okay, nobody wants to  
 10 listen to me. He did it. Problem solved, and  
 11 I'll going about my merry old way. Big mistake  
 12 of the rest of my life.

13 Q. So in summary, you just picked out  
 14 the guy you picked out before?

15 A. Correct.

16 Q. Now, did there come a point when  
 17 you had to go to court and testify?

18 A. Yes, there was.

19 Q. And we all know that in court you  
 20 identified Jacques Rivera as the person who  
 21 shot Felix; yes?

22 A. Correct.

23 Q. And was that a lie?

24 A. Yes, it was.

25 Q. A knowing lie?

1 Q. Outside of the courtroom?  
 2 A. No, I don't remember that.  
 3 Q. No recollection of that?  
 4 A. I don't remember that.  
 5 Q. Who did you first tell about the  
 6 fact that you lied in court?  
 7 A. Who did I tell?  
 8 Q. Who did you first tell?  
 9 A. Oh, are you talking about two women  
 10 in that -- okay. God. You're talking about  
 11 two women who came here to Ohio and had found  
 12 me and had a conversation with me to find out  
 13 -- you know, if Jennifer and what's her name --  
 14 Q. If I were to suggest the name  
 15 Cynthia to you --  
 16 A. Okay, I'm like -- I'm just like --  
 17 the way you're questioning is I -- you're left  
 18 field. I apologize the way I'm bluntly coming  
 19 at you with this, but be frank. I'm being  
 20 frank here.  
 21 Two ladies, yes, I remember, I  
 22 recall them. They came to my house. I wasn't  
 23 there. I was shopping at the moment. They  
 24 left a card with my children, with my oldest  
 25 son, and then they came back when I came back

101

103

1 A. Knowing lie.  
 2 Q. And can you tell us as best you can  
 3 why you told that lie in court?  
 4 A. I was sticking to my story.  
 5 Q. Do you recall approximately when it  
 6 was that you received a visit from two women  
 7 who were investigating this case?  
 8 A. That I don't remember.  
 9 Q. Roughly when?  
 10 A. I do not remember the women at all.  
 11 As far as two women coming to visiting me, I  
 12 don't remember that.  
 13 Q. Do you remember a woman named  
 14 Cynthia and a woman named Jennifer coming to  
 15 see you?  
 16 A. No, I do not remember that.  
 17 Q. No recollection.  
 18 A. No. I just don't remember the  
 19 names. You have given me names that I don't  
 20 recall.  
 21 Q. Apart from the names, do you  
 22 remember two women coming to see you and ask  
 23 some questions about the case?  
 24 A. In the courtroom or outside of the  
 25 courtroom?

1 from grocery shopping with my wife. And at the  
 2 moment they asked -- me they represented their  
 3 firm and who the individual and if I knew  
 4 anything about the case, and I said yes.  
 5 Brought them inside my house. I  
 6 said I don't want to say too much because I  
 7 would rather be present with a lawyer, but we  
 8 went to Starbucks, and then we started talking.  
 9 And then I told them, yeah, I was doing, you  
 10 know, I did it. I was the one. My testimony  
 11 was wrong, and I'm glad -- you know, I always  
 12 said that.  
 13 I always prayed to God that  
 14 somebody would find me even though I got --  
 15 what do you call that -- scorned for it at  
 16 court, about it, like why you waiting for them  
 17 to come when you should have done it yourself.  
 18 That's nay or they now -- here or there I mean.  
 19 And we spoke about what happened. And they  
 20 went in there -- Jacques Rivera was the wrong  
 21 guy.  
 22 Q. Did Cynthia and Jennifer do  
 23 anything to pressure you or force you to --  
 24 A. There was no pressure. They were  
 25 the sweetest people, of course, you know, they

102

104

1 don't want to hear that part, but, you know,  
 2 they were the sweetest people. They never gave  
 3 me no money. They didn't tell me you got to  
 4 say this, say that, none of that stuff. They  
 5 just asked questions and I just answered them  
 6 like I'm answering to you.

7 Q. I need to ask you a couple more  
 8 questions and then I'll be done.

9 Did you ever tell the police that  
 10 at the time Felix was shot, that you were  
 11 already down at the corner store at Cortland  
 12 and Kimball coming out of the store and that  
 13 that was when you saw the shooting? Did you  
 14 ever tell the police that?

15 A. No, I do not remember saying that.  
 16 I remember saying I ran to the store after I  
 17 saw the -- came down, saw the shooter with his  
 18 back turned on me, hid in the corner, from the  
 19 corner I ran to the corner, told the store, I  
 20 was never at the store before -- prior to the  
 21 shooting. The shooting happened when I came  
 22 down from my house, down, you know, from the  
 23 first floor at the moment.

24 Q. Did you ever tell the police that  
 25 you had seen the blue or beige car that the

1 remember turning as I went -- oh my God. I  
 2 just remember the car going and turning right  
 3 there and coming out and shooting at my brother  
 4 -- my brother-in-law's brother. And me just  
 5 hiding in that corner, and then me running and  
 6 then his back turned on me and I ran towards  
 7 the store and from the store ran back to that  
 8 corner, and then him just turning back just  
 9 looking around and ran back to the car and he  
 10 just left. That I remember.

11 Q. All right. Let me ask you again.  
 12 As you came out of your house the first time,  
 13 the afternoon Felix was shot, did you see the  
 14 person shooting Felix at that --

15 A. Prior to the shooting when he came  
 16 out the car or -- just ask the question again,  
 17 please.

18 Q. Yes, sir. As you first came out of  
 19 your house, what did you see, the first thing  
 20 you saw what you came out of the house?

21 A. Him -- like I said, when I saw him  
 22 right there he came here (indicating), ran to  
 23 the car, and he was back shooting. That's what  
 24 I remember.

25 Q. All right. So the first thing that

105

107

1 shooter was in drive north down the alley by  
 2 your house, then turn to the east on Spaulding  
 3 and stop, at which point the shooter got out  
 4 and came over toward Felix's car? Did you ever  
 5 tell the police that you had seen that?

6 A. That's all coming back to me.

7 Yeah, I did say that.

8 Q. Who did you say that to?

9 A. To a cop. As far as exactly who,  
 10 that I cannot tell you.

11 Q. Is that accurate?

12 A. That statement was accurate for the  
 13 fact that it all is coming. The more we talk  
 14 about it, the more everything is coming more  
 15 and more and more and more, the details of the  
 16 shooting itself and how it occurred. But,  
 17 yeah, that was accurate.

18 Q. So tell me what it is that you  
 19 recall now?

20 A. I just re- -- not.

21 MR. GIVEN: Objection. Form.

22 A. I wasn't talking to the gentleman  
 23 about it. I'm just -- I didn't say nothing --  
 24 I'm just saying me now what I remember, but I  
 25 know everything is already stated here. I just

1 you saw was the shooter running toward Felix?  
 2 A. The vision that I remember was him  
 3 just ready -- just shooting, hearing the gun,  
 4 those BB guns shooting at him and me hiding.  
 5 Like I said, it's just -- oh God, I hate this.  
 6 Him just right there shooting at Felix. That's  
 7 just stuck in my head.

8 Q. Do you have any memory of seeing  
 9 anything other than this individual standing  
 10 there and shooting Felix?

11 A. That was the only time I ever saw  
 12 him there at, you know --

13 Q. Where he was standing?

14 A. Yeah.

15 Q. Did you ever see -- well, actually  
 16 strike that.

17 Did you ever tell the police that  
 18 you saw the shooter's car drive north in the  
 19 alley by your house?

20 MR. GIVEN: Objection. Asked and  
 21 answered.

22 A. Like I said, I just -- oh, man.  
 23 What's in my head is the picture of my  
 24 brother-in-law -- brother-in-law's brother  
 25 getting shot vividly and the person that shot

106

108

1 him. That's what I remember the most of this  
 2 whole story, of this nightmare story pretty  
 3 much. I just remember him shooting at him,  
 4 shooting at him, and me running, and then  
 5 coming back and him shooting him and looking at  
 6 me, not looking at me directly but looking  
 7 towards -- to see if there was anybody around.  
 8 Q. Did you ever -- I'm going to ask  
 9 the question again one more time. Maybe it's  
 10 simply not a question you can answer, and if  
 11 it's not, I'll move on.

12 Did you ever tell the police that  
 13 you saw the car that the shooter was in drive  
 14 north in the alley by your house and turn onto  
 15 Spaulding? If you can, just did you tell the  
 16 police that?

17 MR. GIVEN: Objection. Asked and  
 18 answered.

19 A. There is a lot of things that were  
 20 said. And for me to tell you every detail  
 21 exactly what I said is impossible.

22 I know you're trying to help out  
 23 Jacques Rivera for what, you know, what you got  
 24 -- you have to do your job, but at the same  
 25 time, I can't give you every detail that you

1 the guy who shot Felix was somebody you had  
 2 seen playing baseball at Humboldt Park?  
 3 A. I do remember saying that.  
 4 Q. Can you tell me how that came  
 5 about?  
 6 A. He was just questioning me, you  
 7 know, to see if I saw the suspect at the time,  
 8 did I know him personally and stuff like that,  
 9 and I said I don't know him personally, but I  
 10 seen him playing baseball. I do recall that,  
 11 and that was it.

12 Q. Why did -- did you bring -- did  
 13 that come from you or did that come from them?

14 MS. ROSEN: Objection. Form.

15 A. I don't know how it came about. I  
 16 just remember saying that. That's all I can  
 17 tell you.

18 Q. Is it that you don't remember?

19 A. I don't remember.

20 Q. I'm going to read from the  
 21 transcript that's in front of you. We marked  
 22 it for identification as Exhibit 30. Turn to  
 23 Page 93.

24 MR. GIVEN: I'm going to object to  
 25 the form before you ask it. I'm not -- I mean,

109

111

1 want.

2 The only detail I can tell you, if  
 3 you show me that face again that killed my  
 4 brother-in-law's brother, I'll point it out to  
 5 you in a heartbeat, no problem.

6 And I can tell you right now it  
 7 wasn't Jacques Rivera. That's what you want to  
 8 hear -- it's not what you want to hear. It's  
 9 the facts. It was not Jacques Rivera. So  
 10 detail, whether he went this way or that way, I  
 11 just know the -- I know the shooter.

12 Q. Fair enough.

13 MR. BOWMAN: We're going to take --  
 14 I know it's just a minute ago that we took a  
 15 break, but we're going to take one more short  
 16 break, and then I'll probably conclude my  
 17 questioning.

18 THE VIDEOGRAPHER: Off the record  
 19 1:21.

20 (Recess taken 1:21 p.m.)

21 -----

22 THE VIDEOGRAPHER: Back on the  
 23 record 1:27.

24 (Deposition resumed 1:27 p.m.)

25 Q. Did you ever tell the police that

1 well, go ahead and ask your question. I'm  
 2 thinking there's a form objection here, but go  
 3 ahead.

4 Q. My question is, and I'm going to  
 5 read on Page 93 beginning at Line 3 continuing  
 6 through Line 18, and my question is going to be  
 7 whether this helps you remember.

8 MS. ADAMS: Well, how about you  
 9 just let him review it and then you ask him if  
 10 that refreshes his recollection?

11 MR. BOWMAN: Because I want to do  
 12 it this way.

13 MS. ADAMS: Okay.

14 MS. ROSEN: Objection. Form.

15 Q. Question: Now, you testified at  
 16 trial that you had seen the shooter play  
 17 baseball at Humboldt Park; correct? And your  
 18 answer is correct. Question: And you  
 19 testified here today that that testimony was a  
 20 lie; correct? Your answer is correct. Then  
 21 comes the question, why did you testify at the  
 22 time of trial that you had seen the shooter  
 23 play baseball at Humboldt Park? You gave this  
 24 answer, because, you know, what happened was  
 25 the cops were like, when they pointed him out

110

112

28 (Pages 109 to 112)

1 they were asking me have you seen him playing  
 2 baseball or have you seen him anywhere else and  
 3 I said yes. That was the reason why I said  
 4 that I seen him playing baseball at a park.  
 5 And then later on it's pointed out that --

6 MR. GIVEN: Why don't you just read  
 7 the rest of it?

8 MR. BOWMAN: Sure.

9 Q. Then continuing on at Line 19 the  
 10 Court says just a minute, did you say when they  
 11 pointed him out? The Witness: That's you,  
 12 says who me? The court says yes, and then you  
 13 respond no, they didn't point it out to me when  
 14 I pointed him out. They were asking have you  
 15 seen him anywhere else at a park playing, you  
 16 know, baseball, stuff like that, and I said  
 17 yes.

18 Does that help you remember how it  
 19 came up?

20 A. I was -- are you done with your  
 21 question?

22 Q. Yes.

23 A. I was referring to what I said back  
 24 then, my first testimony in court. That's what  
 25 I remember. That's why I responded that way.

1 except for the business about they pointed him  
 2 out?

3 MR. GIVEN: Objection. Form.

4 Q. Is the rest of it accurate?

5 MR. GIVEN: Objection. Form.

6 A. Whatever I said here that's what I  
 7 said. There's no lie about it. I cannot, you  
 8 know, say, oh, yeah, it's a lie. It is right  
 9 here in black and white, but there's a lot of  
 10 question -- you know, you guys are great at  
 11 your job and you ask questions and you guys are  
 12 amazing on how you go about asking questions  
 13 and tripping up people at times instead of  
 14 getting to the point on what we need to do  
 15 because, you know, nobody wants to see justice.  
 16 Everybody wants to see this, that, and the  
 17 other. That's what I have a problem.

18 You know, I apologize I'm coming  
 19 off what I'm here for, but that's the reason  
 20 why I cannot stand the system in the sense of  
 21 how you guys operate and how things get twisted  
 22 up and get hung up on words instead of straight  
 23 facts and how that was the individual that did  
 24 it, but we're stuck on you said this, you said  
 25 that. Well, let's get to the point where I

113

115

1 Where did you say this, and I said yes, except  
 2 I remember -- remembering what I said at trial,  
 3 the first trial for Jacques Rivera, and I did  
 4 say all that stuff, and then I repeated saying  
 5 that over here. I didn't say, you know, in the  
 6 sense of they made me point him out. No, that  
 7 was not the --

8 Q. I understand that.

9 A. -- the concept. I didn't want to  
 10 make it seem like -- because like I said,  
 11 there's a lot of people at stake here based on  
 12 my testimony and recanting my story here, and I  
 13 don't want it to be taken out of context  
 14 either.

15 Q. We're all very clear that you're  
 16 the one that pointed him out and not the  
 17 police.

18 A. Okay, so --

19 Q. All I'm asking about is how the  
 20 part about playing baseball at Humboldt Park  
 21 came up?

22 A. Like I said, as a kid that came  
 23 out, and I remember saying that to the cops.

24 Q. Is what you said in your testimony  
 25 that I read from June 23, 2011, is it accurate

1 pointed out the wrong guy. I made a mistake.  
 2 The individual did this, but -- I said it. It  
 3 was here. There. I apologize for going left,  
 4 right here, whatever. I apologize.

5 Q. So what you said is correct; yes?

6 A. Yeah. It's here. It's correct.

7 Q. Let me show you another part of the  
 8 transcript that I'm going to read out loud.  
 9 It's on Page 62.

10 MS. ROSEN: I have a form objection  
 11 to you reading from the transcript as a method  
 12 of refreshing a recollection. And actually  
 13 right now it's not even refreshing a  
 14 recollection because you haven't even asked him  
 15 a question to which he said I don't recall. So  
 16 I have a form objection and actually move to  
 17 strike all the testimony that's going to be  
 18 handled this way.

19 BY MR. BOWMAN:

20 Q. I'm going to read you the first six  
 21 lines at the top of Page 62 if you want to  
 22 follow along. This is about when you told them  
 23 wrong guy, wrong guy.

24 Question: When you had this  
 25 conversation with the white-haired lady, was

114

116

1 anybody else present? Answer: Yes, the  
 2 gentleman, the detective with the fro, and the  
 3 glasses and the mustache. Then after I walked  
 4 away they had a conversation. What  
 5 conversation they had I don't know.

6 Does that refresh your recollection  
 7 that it was the detective with the fro who was  
 8 present when you told them that it was the  
 9 wrong guy?

10 MR. GIVEN: Objection. Form.

11 A. If I said it here. That's what I  
 12 said.

13 Q. And is that accurate?

14 A. Yeah, it's accurate.

15 Q. So in other words, it's accurate  
 16 that the other person present when you said  
 17 wrong guy, wrong guy was the detective with the  
 18 fro?

19 MS. ROSEN: Objection. Form.

20 A. It says it here.

21 Q. And is that accurate?

22 A. Correct.

23 Q. Yes, all right.

24 Where -- back in the day when this  
 25 happened, what was your father's address?

1 far as other people, I don't know. That's,  
 2 that's --

3 Q. How far was it from your mother's  
 4 house to where your father lived?

5 A. Well, I could tell you right now.

6 Probably three miles, four miles, I don't know  
 7 exactly. I couldn't tell you like that.

8 MR. BOWMAN: Mr. Lopez, I  
 9 appreciate your cooperation in this process.  
 10 I'm done with my questioning at this point. I  
 11 know that the other lawyers will have questions  
 12 for you as well and that may prompt some  
 13 additional questions from me after they finish,  
 14 but for the moment I'm done, and I appreciate  
 15 your cooperation with the process.

16 MS. ROSEN: And we think it's a  
 17 good time to take a lunch break.

18 MR. GIVEN: Yeah.

19 MS. ROSEN: And then we can collect  
 20 our --

21 THE WITNESS: Do what you guys got  
 22 to do.

23 MS. ROSEN: -- notes, and we can  
 24 hopefully streamline the afternoon so that we  
 25 can get this done and get you out of here.

117

119

1 A. 2216 North Avers.  
 2 Q. And what was his name?  
 3 A. Do I got to give my father's name  
 4 here, too?

5 Q. Yes, please.

6 A. Jesus Lopez.

7 Q. J-E-S-U-S?

8 A. Jesus.

9 Q. And did you sometimes stay  
 10 overnight at your father's house --

11 A. Yes.

12 Q. -- back in those days?

13 Anything difficult about finding  
 14 your father's house at that time --

15 MR. GIVEN: Object.

16 Q. -- if anybody had wanted to find  
 17 your father's house, would it have been easy to  
 18 find?

19 MR. GIVEN: Objection --

20 MS. ROSEN: Objection. Form.

21 MR. GIVEN: -- form, incomplete  
 22 hypothetical, calls for speculation.

23 MS. ADAMS: If you know, if you  
 24 know.

25 A. I knew where my house was at. As

1 MS. ADAMS: Okay, so it's 1:35, you  
 2 guys want to say 40 minutes for lunch?

3 MS. ROSEN: Fine.

4 THE VIDEOGRAPHER: Off the record  
 5 1:36.

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1 (Luncheon recess taken 1:36 p.m.)  
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1 you have spoken to the lawyers representing  
 2 Mr. Rivera in connection with the  
 3 post-conviction proceeding; correct?  
 4 A. Correct.  
 5 Q. Okay. And when did you first speak  
 6 with lawyers representing Mr. Rivera in  
 7 connection with the post conviction proceeding?  
 8 A. The first time as far as like in  
 9 the room where they were writing stuff like  
 10 down how you guys --  
 11 Q. Sure.  
 12 A. The first time I remember that I  
 13 recall was in Chicago where I met with Jennifer  
 14 over there -- I met Jennifer here in Cleveland,  
 15 and the one that was asking the question here  
 16 in Cleveland was the investigator they hired.  
 17 Q. Right.  
 18 A. And then when I went to Chicago,  
 19 that's when I started getting the questions  
 20 asked over there.  
 21 Q. Okay. So when -- as I understand  
 22 it, Jennifer and Cynthia Estes, the  
 23 investigator; is that who it was?  
 24 A. Correct.  
 25 Q. They first came to your home

121

123

1 THE VIDEOGRAPHER: Back on the  
 2 record. The time is 2:16.  
 3 (Deposition resumed 2:16 p.m.)  
 4 AFTERNOON SESSION  
 5 CONTINUED EXAMINATION OF ORLANDO LOPEZ  
 6 BY MS. ROSEN:  
 7 Q. Good afternoon, Mr. Lopez. I  
 8 introduced myself to you earlier today. My  
 9 name is Eileen Rosen, and I represent the City  
 10 of Chicago in this lawsuit that has been filed  
 11 by Mr. Rivera. And I have some questions that  
 12 I want to ask you. First I'm going to do sort  
 13 of some follow-up questions to the questions  
 14 Mr. Bowman asked you earlier today, and then I  
 15 have some questions of my own that are  
 16 independent of that, so I'm going to jump  
 17 around a little bit.  
 18 If you're not sure -- I'm going to  
 19 try and direct you to the testimony you gave  
 20 earlier, but if you're confused at all, let me  
 21 know because it's not going to be sort of  
 22 sequential.  
 23 You testified early this morning  
 24 that you hadn't spoken to any of the lawyers  
 25 representing Mr. Rivera in the civil case, but

1 unannounced and knocked on your door; right?  
 2 A. Correct.  
 3 Q. After that did you go to Chicago to  
 4 meet with other attorneys that were involved in  
 5 the case?  
 6 A. It took I think a -- I don't know  
 7 how long. It was awhile back I was able to  
 8 talk to them again.  
 9 Q. Okay. And did you only go to  
 10 Chicago one time?  
 11 A. Yes, to testify at his trial I  
 12 think it was.  
 13 Q. The post conviction proceeding?  
 14 A. Yes, post -- correct.  
 15 Q. Okay, so -- and that was the only  
 16 time that you actually sat in a room and met  
 17 with them?  
 18 A. With the --  
 19 Q. Lawyers.  
 20 A. With that lawyer yes, with her and  
 21 her team.  
 22 Q. And do you remember the lawyer's  
 23 name?  
 24 A. No, she was a -- no, I do not  
 25 remember her name.

122

124

1 Q. Was it Jane Raley?  
 2 A. Short-haired old lady with some  
 3 glasses and --  
 4 Q. Okay, and is she the same lawyer  
 5 that was in court when you actually testified?  
 6 A. Correct.  
 7 Q. Mr. Bowman showed you a copy of the  
 8 affidavit that was prepared dated June 12,  
 9 2010. It was marked as Exhibit 29.  
 10 Do you still have that in front of  
 11 you?  
 12 A. Yes.  
 13 Q. Did you prepare that affidavit?  
 14 Did you type it up?  
 15 A. I did not type this up.  
 16 Q. How did you get it in this typed  
 17 form? How was it provided to you?  
 18 A. It was provided to me by -- what  
 19 was her name? She wrote everything down that I  
 20 said, and then she put it on here.  
 21 Q. Okay. And then did she give it to  
 22 you to take a look at to make sure it was  
 23 correct?  
 24 A. Yes.  
 25 Q. And did you make any corrections to

125

1 them -- ask your attorney if we could get  
 2 copies.  
 3 MR. GIVEN: And actually, Cynthia,  
 4 I did -- sorry, not Cynthia.  
 5 Stephanie, I did serve a subpoena  
 6 Duces Tecum for any documents he might have, so  
 7 if you could find those that would be great.  
 8 MS. ROSEN: Yeah, we'll follow up  
 9 with your attorney, but if you have them, like  
 10 I said, we've never seen the drafts to see the  
 11 changes that you made. All right.  
 12 Q. And when -- was it Cynthia that  
 13 asked you, the investigator, that had come out  
 14 to your house, was she the one that asked you  
 15 to prepare the affidavit or if you would be  
 16 willing to prepare the affidavit or was it  
 17 Jennifer?  
 18 A. It was Jennifer.  
 19 Q. Okay. And did she tell you what  
 20 they needed the affidavit for?  
 21 A. Yes.  
 22 Q. And what did she tell you?  
 23 A. She told me it was for Jacques  
 24 Rivera, for his behalf, where I wanted to  
 25 recant my story, and I wanted to correct the

127

1 it, do you remember?  
 2 A. If I correctly -- yeah, I did make  
 3 some corrections because I wanted to make sure  
 4 everything was accurate.  
 5 Q. And then you sent it back?  
 6 A. Correct.  
 7 Q. And how did you do this, by email?  
 8 A. Email.  
 9 Q. And then once you made those  
 10 corrections, did she send the affidavit back to  
 11 you for you to review again?  
 12 A. Correct.  
 13 Q. How many revisions do you think  
 14 that went through?  
 15 A. If I'm correct, I think it was  
 16 three or -- two or three I think it was.  
 17 Q. Did you keep copies of --  
 18 A. I sure did.  
 19 Q. Do you still have them?  
 20 A. Not on me here.  
 21 Q. No, but I mean do you still have  
 22 them somewhere today?  
 23 A. Yes, I do.  
 24 Q. Because we have not been provided  
 25 those drafts, so at some point we might get

126

1 wrong that I did.  
 2 Q. Okay. And then did she tell you  
 3 that -- what the goal would have been to use  
 4 the affidavit, what they wanted to accomplish?  
 5 A. The mission was to reopen the case.  
 6 Q. Okay. And we talked -- you talked  
 7 a little bit this morning about the gangs that  
 8 were in and around the area where you lived at  
 9 the time of this incident and you had mentioned  
 10 that at some point you felt peer pressure and  
 11 you ultimately joined a gang, and I thought you  
 12 said you were an MLD, but then did you also say  
 13 something about Deuces something, or did I  
 14 mishear you?  
 15 A. You misheard me.  
 16 Q. Okay. So the only gang that you  
 17 ever were a member of was the Maniac Latin  
 18 Disciples?  
 19 A. Correct.  
 20 Q. What's the relationship between the  
 21 -- what was the relationship in say 1988, '89  
 22 between the Maniac Latin Disciples and the  
 23 Campbell Boys?  
 24 A. The Maniac Latin Disciples pretty  
 25 much, the umbrella and the Campbell Boys fall

128

1 under them. That's why they had the word  
 2 Maniac in their gang. Anything that was -- you  
 3 know, Maniac Latin Disciples were the gang --  
 4 the Don if you want to say pretty much and  
 5 everybody had to, you know, follow suit under  
 6 them.

7 Q. So the Maniac Campbell Boys, is  
 8 that like the full name for that?

9 A. Yeah, that's the name, yeah.

10 Q. So they were under the umbrella of  
 11 the Mania Latin Disciples; correct?

12 A. Correct.

13 Q. So they were friendly?

14 A. Correct.

15 Q. And Imperial Gangsters, how did  
 16 they fit within that framework in that 1988,  
 17 '89 timeframe?

18 A. At the time they were rivals.

19 Q. And what was the territory of the  
 20 Imperial Gangsters in this 1988, '89 timeframe  
 21 in relation to where you lived?

22 A. Well, from Kimball and Cortland all  
 23 the way to Fullerton and -- Fullerton and --  
 24 what was the street? Yeah, Kimball,  
 25 Fullerton -- from Fullerton to Armitage, they

1 Cortland back in 1988 that it was you, your  
 2 mother, your stepfather, and your four sisters,  
 3 and we already talked about Marilyn. Your  
 4 three other sisters, were they older or younger  
 5 than you?

6 A. I had an older one, she was the  
 7 oldest and the other two were younger. Marilyn  
 8 was the second oldest.

9 Q. Marilyn was the second oldest?

10 A. Correct.

11 Q. When did Marilyn start dating  
 12 Israel?

13 A. That I can't really give you an  
 14 answer on that, that was between them two.

15 Q. Up until the time of Felix's death,  
 16 had they been going out for a long period of  
 17 time?

18 A. Yes. She was already living -- you  
 19 know, living with -- you know, staying over  
 20 their mother's house over there with her. They  
 21 were already deeply involved.

22 Q. Okay. Did they have any kids  
 23 together --

24 A. Yeah.

25 Q. -- at that point?

129 131

1 were big on that sense. From Central Park, you  
 2 had Central Park, Armitage and then Kimball.  
 3 Then once you hit Palmer -- towards Central  
 4 Park and Palmer those were Cobras, and then by  
 5 Kedzie, that was the borderline between Kings  
 6 and Gangsters.

7 Q. Okay. And so then where were the  
 8 Maniac Latin Disciples in all of this?

9 A. That was just me saying that was  
 10 just the gang I joined. That was all it is.  
 11 The Maniac Latin Disciples were over there on  
 12 the other side of Humboldt Park. They're --  
 13 Humboldt Park area and they're in the northwest  
 14 side also towards Pulaski and all that area.

15 Q. Okay, but Israel was a Maniac  
 16 Campbell Boy; right?

17 A. Correct.

18 Q. And he -- and where did he live?

19 A. He lived in Campbell LeMoyne where  
 20 did Campbell Boys like originated from.

21 Q. Got it. Okay. So your  
 22 neighborhood though was not Campbell Boys?

23 A. At all.

24 Q. I got it. Okay.

25 You said that when you lived on

1 A. At that point, no. She was -- she  
 2 got pregnant --  
 3 Q. Right around that timeframe?  
 4 A. Around that timeframe.

5 Q. And how many children did she end

6 up having with Israel?

7 A. Three.

8 Q. And he's since passed away;

9 correct?

10 A. Correct.

11 Q. And how did he die?

12 A. Murdered.

13 Q. How long after Felix's murder was

14 Israel murdered?

15 A. I'd say a couple years after.

16 Q. And was his murder -- the  
 17 perpetrator brought to justice? Was that crime

18 like do you know --

19 A. From my brother-in-law who he died,  
 20 no, it was never brought to justice.

21 Q. So nobody knows who killed him?

22 A. It was a rival gang. At the time  
 23 there was a Spanish Cobra thing, a war going

24 on.

25 Q. But nobody was ever arrested?

130 132

1 A. That I'm aware of, no.  
 2 Q. And you've referred to Israel as  
 3 your brother-in-law. Did they ever actually  
 4 get married?  
 5 A. No.  
 6 Q. Now, on the day that Felix was  
 7 shot, you had said that -- something about  
 8 Israel and your sister going to a wedding.  
 9 A. Correct.  
 10 Q. Before you came out of the house  
 11 that day, was Israel already in your apartment?  
 12 A. Correct.  
 13 Q. Had he come there with Felix to  
 14 pick up your sister?  
 15 A. No.  
 16 Q. Felix came to get Israel and  
 17 Marilyn?  
 18 A. Correct.  
 19 Q. Was Israel staying at your house at  
 20 that point?  
 21 A. He spent the night over.  
 22 Q. Was that something he would do from  
 23 time to time is spend the night at your house?  
 24 A. Correct.  
 25 Q. Did you know that -- before you

133

1 just point out again --  
 2 MR. BOWMAN: Can you turn it so I  
 3 can see?  
 4 A. I can't show it to both of you at  
 5 the same time.  
 6 Q. That's okay. You can hold it --  
 7 there you go.  
 8 A. Back in the day this was boarded  
 9 up. There was no nobody living there. There  
 10 was this first floor back then.  
 11 Q. Okay.  
 12 A. And this was my bedroom.  
 13 Q. Okay.  
 14 A. And that's where, you know, they  
 15 come in and say, hey, I'm on my way. You know,  
 16 I'm overhearing him say, hey, I'm on my way,  
 17 just relax. You know, that type of  
 18 conversation.  
 19 Q. Sure. So you knew that Felix was  
 20 already there in the alley?  
 21 A. Uh-huh.  
 22 Q. And the car that he was driving,  
 23 that red car, was that Felix's car?  
 24 A. Correct.  
 25 Q. At the time that you were out on

135

1 went out the door, did you know that Felix was  
 2 already there?  
 3 A. Yes, I heard the -- yes, they  
 4 beeped the horn and my brother-in-law was like  
 5 you need to hurry up to my sister pretty much.  
 6 Q. And you lived on that first floor  
 7 apartment. Could you see out the window of the  
 8 first floor into the alley to see the car?  
 9 A. Yes.  
 10 Q. There's I think the other  
 11 photograph.  
 12 A. See right here (indicating) there  
 13 was a window -- the window was here  
 14 (indicating) and there was a window over here  
 15 also (indicating). So we saw him through --  
 16 that was my bedroom at the time.  
 17 Q. The corner was?  
 18 A. Yes, this was my bedroom there  
 19 (indicating), but see these windows here  
 20 (indicating), they were boarded up back in the  
 21 day. So this (indicating) was actually  
 22 considered the basement, and this (indicating)  
 23 was considered the first floor.  
 24 Q. Okay, can we turn that photograph  
 25 so that the videographer can see that? Can you

134

1 the street and observing all the things that  
 2 you already testified to, was there anybody  
 3 else out on the street?  
 4 A. No.  
 5 Q. The detective that you described  
 6 earlier with the fro and the glasses, do you  
 7 know how old he was? Can you estimate his age?  
 8 A. No, I can't tell you that. I  
 9 really don't know. I don't want to guess his  
 10 age to be honest with you. I don't know.  
 11 Q. Was he tall or short?  
 12 A. Well, he was taller than me, of  
 13 course. Remember I was a child, so everybody  
 14 was taller than me, so that's the response  
 15 you're going to get from me.  
 16 Q. Was he thin or heavy set?  
 17 A. I'd say he was thin I guess, I  
 18 don't know, or my size, you know, my size  
 19 probably. I don't know. You know, either or I  
 20 guess. In between probably.  
 21 Q. And you had said that at -- earlier  
 22 when you were talking about the, I believe it  
 23 was the first lineup, that Felix's father was  
 24 there, too?  
 25 A. If my memory suits me right, yes.

136

34 (Pages 133 to 136)

1       Q. And when you say there, do you mean  
2 in the room with you?  
3       A. Yes, he was in the room.  
4       Q. Do you know why Felix's father was  
5 there?  
6       A. I couldn't tell you why.  
7       Q. Earlier when you were telling us  
8 about Jennifer and Cynthia coming to Ohio and  
9 knocking on your door you said something about  
10 telling them that you wanted to get a lawyer.  
11      A. Uh-huh.  
12      Q. Did you tell them you wanted a  
13 lawyer?  
14      A. Correct.  
15      Q. And what did they say to you?  
16      A. That's fine.  
17      Q. Now, I know that you were given a  
18 copy and you reviewed the testimony that you  
19 most recently gave, the Exhibit No. 30.  
20       When is the last time that you  
21 reviewed your testimony from the criminal  
22 trial?  
23      A. The criminal trial I -- when I  
24 received the -- when she -- I got mail and then  
25 also got it on the email, like a thing I read

137

1       I was more -- for some odd reason stuck on  
2 that. I was mainly more focused on reading  
3 that. I don't know why, but that's what I read  
4 more than anything else.  
5       Q. So you don't recall the testimony  
6 where they were asking you questions about the  
7 lineup?  
8       A. No. No, I didn't really review  
9 that part of it.  
10      Q. Do you recall being asked questions  
11 about the lineup when you testified back in  
12 1990?  
13      A. There is a lot of -- like I said,  
14 you guys are asking details and it's hard for  
15 me to tell you yes, no, and I understand it's  
16 yes or no questions, but --  
17      Q. No, that's not necessarily a yes or  
18 no question, so if you don't remember, you  
19 don't remember. I'm just trying to probe, you  
20 know, what you remember.  
21      A. No, I just -- like I said, I just  
22 remember them asking how far from the shooter.  
23 That's what I -- I recant. I do remember that  
24 part of the -- you know, vividly in the sense  
25 it stuck in my head.

139

1       -- before I went through the first one, I  
2 actually read through that one first, the old  
3 one, to see -- you know, just to curse at it  
4 and, you know, just get out my anger and curse  
5 the police, believe me -- you know, just  
6 whatever. As far as -- just I reviewed it  
7 there. It was last week, there.  
8       Q. So fairly recently?  
9       A. Just recently, yes. I apologize.  
10      Q. That's okay.  
11      A. I'm letting my emotions get the  
12 best of me.  
13      Q. I know this is difficult, and it's  
14 hard to relive all of this, and we appreciate  
15 that you're sitting here and doing that.  
16       When you were reviewing that  
17 testimony, did you take note of your testimony  
18 where you were asked about the lineup that you  
19 saw?  
20      A. I was basically going on the --  
21 for some reason I was just going based on -- I  
22 wanted to read the ending of it, and I was  
23 looking at that more because of the lawyer how  
24 he was asking me how far did you see the  
25 distance from, you know, that was really where

138

1       Q. Sure. Do you remember at the time  
2 of the criminal trial that you were shown a  
3 photograph of the lineup and you were asked to  
4 put an X over the person you identified in the  
5 lineup?  
6       A. I did read that. Now that you  
7 bring it up, I did read that part, and I also  
8 -- they also -- I remember them telling me to  
9 point out the shooter in trial, and I proceeded  
10 to point at Jacques Rivera at the time.  
11      Q. Okay. I'm going to ask that we  
12 mark this -- what number are we on?  
13      MR. BOWMAN: I think we're at 36.  
14       - - - - -  
15      (Thereupon, Deposition Exhibit 36,  
16 Photograph, was marked for purposes  
17 of identification.)  
18       - - - - -  
19      Q. I'm going to show you what we've  
20 marked for identification as Exhibit No. 36,  
21 and it also has one of those Bates stamp  
22 numbers at the bottom, which I see is cut off  
23 on this version, but it's Bluhm, B-L-U-H-M,  
24 45084, and I'm going to ask you to take a look  
25 at that. And do you see the photograph in

140

1 front of you there, Mr. Lopez?  
 2 A. Yes.  
 3 Q. Do you recognize that photograph?  
 4 A. I really don't remember this  
 5 photograph.  
 6 Q. Do you remember putting the red X  
 7 on the photograph at the time of the trial?  
 8 A. No, I don't recall the -- like I  
 9 said, trial is any -- I don't remember too much  
 10 of the trial as far as pictures and stuff like  
 11 that.  
 12 Q. Do you recognize anybody in that  
 13 photograph?  
 14 A. Yes. I recognize Jacques Rivera.  
 15 Q. Do you recognize any of the other  
 16 individuals in that photograph?  
 17 A. No, I don't.  
 18 Q. Do you remember ever seeing them  
 19 before?  
 20 A. No.  
 21 Q. Is that the first lineup that you  
 22 saw?  
 23 A. I can't -- I don't remember the --  
 24 you know, it was the first or the second. I  
 25 can't tell you if it was -- you know.

141

1 Q. Was it walking distance?  
 2 A. No. You can walk there, don't get  
 3 me wrong, but it was going to take a while to  
 4 get there.  
 5 Q. Okay. When you testified earlier  
 6 that you were in the hiding place the first  
 7 time at the -- right next to the door of your  
 8 building and then you said you ran to the  
 9 corner store to get help, how did you -- how  
 10 did you run, like what direction did you take?  
 11 MR. BOWMAN: Object to the form of  
 12 the question.  
 13 A. Answer it?  
 14 Q. Yeah, you can go ahead and answer.  
 15 A. On an angle, straight across.  
 16 Q. And then when you ran back from the  
 17 corner store back to that hiding place again,  
 18 what direction?  
 19 A. Same way. I ran east if you want  
 20 to call it. I ran northwest, you know,  
 21 southeast.  
 22 Q. So both times you were running  
 23 diagonally across the street?  
 24 A. Correct.  
 25 Q. Do you remember when you first

143

1 Q. You don't remember?  
 2 A. I don't remember.  
 3 Q. That's fair enough. After Felix  
 4 was shot you testified earlier that Israel came  
 5 down. Did Marilyn come down, too?  
 6 A. No, not at the moment. She came  
 7 after they -- she heard the car. He was  
 8 yelling, you know, just screaming and then got  
 9 out the car, peeled the car, and she was like  
 10 what happened, what happened, and that's when  
 11 -- and that was pretty much what happened.  
 12 That's when she came afterwards.  
 13 Q. And where did she come from?  
 14 A. From the apartment.  
 15 Q. Okay. And then where did she go  
 16 after she came out?  
 17 A. She just started crying and just  
 18 started walking towards east to go towards, you  
 19 know, the area where they were from.  
 20 Q. How far from your house on Cortland  
 21 was the Valentin house?  
 22 A. It was far. You had -- you know,  
 23 you took -- I'm going to -- I really don't know  
 24 mileage, you know, how many miles, but it was  
 25 far. It was a distance.

142

1 spoke with Cynthia and Jennifer when they came  
 2 out to visit you in Ohio that first time saying  
 3 something about the real shooter's name being  
 4 Izzy or Gizzy?  
 5 A. It was a gangster, yeah. The words  
 6 -- the street -- like after that I saw -- I  
 7 also saw him back in the day, you know, when I  
 8 was in high school at Kelvyn Park, and I saw  
 9 him there also, but --  
 10 MR. BOWMAN: I'm sorry, which park?  
 11 THE WITNESS: High school, Kelvyn  
 12 Park High School, because his brother was  
 13 having problems and he went to go, you know,  
 14 fix a problem and at the time when I saw him, I  
 15 ran also like a -- scared.  
 16 Q. Okay. So let me try and understand  
 17 this. This time that you're talking about at  
 18 Kelvyn Park is years later?  
 19 A. Years later.  
 20 Q. About how old were you at that  
 21 point?  
 22 A. I was a freshman.  
 23 Q. In high school?  
 24 A. In high school.  
 25 Q. And you saw the person that you had

144

1 seen at Funston School earlier; right?  
 2 A. Correct.  
 3 Q. And you said something about he had  
 4 come up to the park because his brother was  
 5 having some kind of trouble?  
 6 A. Yes.  
 7 Q. His younger brother or his older  
 8 brother?  
 9 A. Younger brother.  
 10 Q. And how do you know that?  
 11 A. I didn't know him, you know,  
 12 personally, but we know that was his brother  
 13 because, you know, he was like -- you know, he  
 14 got -- it was just -- his brother got beat up  
 15 it looked like and he came and was upset about  
 16 it. Like I said, we all lived around the area.  
 17 You know, his brother went to Kelvyn Park, and  
 18 I knew this for a lot of years, and I was --  
 19 like I said, I didn't -- I stayed away.  
 20 Q. When did you first become aware  
 21 that the person that you believed shot Felix's  
 22 younger brother went to Kelvyn Park?  
 23 A. When he went the first year,  
 24 freshman year. Like I said, they all -- you  
 25 know like when you're in gangs, people talk

145

1 Q. Okay. And did you ever get any  
 2 more information about this Izzy or Gizzy  
 3 person after that time?  
 4 A. I didn't want no part of knowing  
 5 nothing about the individual. Like I said, I  
 6 was scared for my life. I didn't -- the best  
 7 -- I was hiding fool in other words.  
 8 Q. Did you know the little brother's  
 9 name?  
 10 A. No, I did not know him like that.  
 11 Like I said, I didn't want no part of knowing  
 12 nobody. I just knew he was his little brother.  
 13 Q. Did you go to Kelvyn Park?  
 14 A. Yes.  
 15 Q. Were you and the little brother the  
 16 same age, like in the same class?  
 17 A. No, no, no, no.  
 18 Q. Was he older than you or younger  
 19 than you?  
 20 A. That -- I'm assuming we were around  
 21 the same age probably because I like said, he  
 22 was at Kelvyn Park.  
 23 Q. Okay. Earlier today you said you  
 24 didn't see the driver of the getaway car?  
 25 A. No, I did not.

147

1 about, yo, this is individual's brother and  
 2 that's why he was having problems at school.  
 3 He said she -- you know, the type where this is  
 4 his little brother.  
 5 Q. Okay. When did you first become  
 6 aware that the person who you believed shot  
 7 Felix's name was Izzy or Gizzy?  
 8 A. Because that was around the area  
 9 where his brother -- when he came to the  
 10 school, that's what the name they were saying,  
 11 his name.  
 12 Q. Okay. So they said that this  
 13 individual's brother's name is Izzy or Gizzy?  
 14 A. Correct.  
 15 Q. And then when you saw him you  
 16 realized it was the shooter?  
 17 A. Correct.  
 18 Q. Okay. I got it now. So it wasn't  
 19 that you knew it before then --  
 20 A. Yeah, I didn't know. No, I didn't  
 21 remember like at all the details of his name.  
 22 I knew after when he was like, yo, that's the  
 23 brother and that's Izzy, you know, and then I  
 24 ran when I saw that. I was like, oh, gosh,  
 25 here we go again. I got to get out of here.

146

1 Q. For lack of a better description,  
 2 do you remember telling Cynthia and Jennifer  
 3 that he was fat, that the driver was a fat guy?  
 4 A. That I don't recall if I said it.  
 5 I probably did say that. I just remember  
 6 saying to them that it was, you know, it was  
 7 not him, and that the guy that did it was a  
 8 gangster, and that was pretty much the convers-  
 9 -- you know, like I said, there was a lot of  
 10 things said and just -- you know how you guys  
 11 bombard people with questions and you're just  
 12 answering and answering and you're answering as  
 13 best as you can. So I apologize if I don't  
 14 recall a lot of the answering the questions,  
 15 so --  
 16 Q. No, it's not a problem at all. So  
 17 you don't remember one way or the other whether  
 18 you used a descriptive --  
 19 A. Yeah, I don't -- yeah, I don't.  
 20 Q. Now, in the Valentin family, there  
 21 was Israel and Felix. Were there other  
 22 brothers other sisters?  
 23 A. Harry.  
 24 Q. And do you know Harry Valentin?  
 25 A. Yeah, I did know him -- remember

148

1 him.  
 2 Q. Is he still alive?  
 3 A. I couldn't tell -- I can't answer  
 4 that. I really don't know.  
 5 Q. Were you -- did you consider him  
 6 family too, at the time back in 1988?  
 7 A. That's all family. Once you have  
 8 kids with a -- you know, you're family pretty  
 9 much. That's how we roll.  
 10 Q. Okay. When is the last time you  
 11 spoke with Harry?  
 12 A. I haven't spoke to those people  
 13 ever since I left, and it's been since I was 18  
 14 years old probably.  
 15 Q. Oh, okay.  
 16 A. I was done.  
 17 Q. Go ahead.  
 18 A. I was just done with a lot. You  
 19 know, like I said, once I had my son at 19  
 20 years old, I didn't want to deal with nobody no  
 21 more.  
 22 Q. Were there any sisters in the  
 23 Valentin family?  
 24 A. Denise.  
 25 Q. Any other sisters?

149

1 Q. -- Jacques?  
 2 A. -- I did answer some of those  
 3 questions my best, you know.  
 4 Q. And have you ever seen the report  
 5 that Cynthia Estes prepared about the interview  
 6 she did with you?  
 7 A. All that she showed me was the  
 8 affidavit.  
 9 Q. Okay. So you never saw her -- she  
 10 -- any typed up report she prepared?  
 11 A. Just affidavit.  
 12 - - - - -  
 13 (Thereupon, Deposition Exhibit 37,  
 14 Report, was marked for purposes of  
 15 identification.)  
 16 - - - - -  
 17 Q. We are on Exhibit 37. I'm going to  
 18 ask you to just flip through those pages. I  
 19 don't want you to read the whole thing, but  
 20 just take a quick look and make sure you've  
 21 never seen that before, or if you have seen  
 22 that before, tell me that you've seen it  
 23 before?  
 24 A. All I remember was, like I said,  
 25 the affidavit.

151

1 A. They had a baby sister Vanessa.  
 2 Q. And no contact with any of them  
 3 since you left Chicago; right?  
 4 A. No, I'm done with -- like I said, I  
 5 don't want no part of that. I was done.  
 6 Q. When Cynthia and Jennifer first  
 7 came out to your house in Ohio to talk to you,  
 8 do you remember them asking you specific  
 9 questions about the order in which you  
 10 identified Jacques?  
 11 A. The way --  
 12 MR. BOWMAN: Object to the form of  
 13 the question.  
 14 A. It was -- like I said, it was --  
 15 they were asking me the lineups and I -- just  
 16 like I was telling him, a lot of that stuff I  
 17 don't recall how the order went. They were not  
 18 coaching me in the sense either.  
 19 Q. No, no, I don't mean that. I mean  
 20 do you remember them asking you at some point  
 21 while they were talking to you that they want  
 22 to get it straight, and that they asked you to  
 23 sort of tell them, you know, a sequence to the  
 24 times that you identified --  
 25 A. To my best ability --

150

1 Q. Okay. So you don't ever recall  
 2 seeing that before. So just give me one  
 3 second. I'm going to ask you to take a look at  
 4 Page 11 of that report. If you just read --  
 5 you can just read it to yourself starting at  
 6 where it says, I asked Mr. Lopez if we could go  
 7 through the order in which he identified our  
 8 client, and just read that to the bottom of the  
 9 page.  
 10 A. Out loud?  
 11 Q. No, to yourself.  
 12 A. Oh. All righty.  
 13 Q. Okay. Now, if you go to the sort  
 14 of the beginning few lines of that, that page  
 15 there, 11 of the Estes report where it says  
 16 Mr. Lopez said the cops brought the mug book to  
 17 his house and he picked the guy, then he thinks  
 18 he may have picked him from a lineup a few days  
 19 later. Then he thinks a few days after that  
 20 they showed him more photos and that's when he  
 21 told them Rivera was not the guy, but the lady  
 22 wouldn't listen.  
 23 Do you see that there?  
 24 A. What was the -- okay.  
 25 MR. BOWMAN: Yeah, I object to the

152

1 form of the question, also to the evidentiary  
 2 basis for the -- I mean the --  
 3 A. Well, could I state --  
 4 MS. ADAMS: Wait. You don't answer  
 5 questions that haven't -- let him finish his  
 6 objection.  
 7 MR. BOWMAN: I finished my  
 8 objection. I object to the form of the  
 9 question, and I don't think it even states a  
 10 question.

11 BY MS. ROSEN:

12 Q. Okay. The question is do you see  
 13 those couple sentences there in that report?  
 14 That's my first question.

15 A. Yeah, I do see that.

16 Q. Okay. Do you recall when you were  
 17 having a conversation with Jennifer and  
 18 Cynthia, saying that to them, saying that the  
 19 cops brought the mug book to your house and you  
 20 picked the guy and then you think you may have  
 21 picked him from a lineup a few days later and  
 22 then you think a few days after that they  
 23 showed you more photographs -- photos and  
 24 that's when you told them that Rivera was not  
 25 the guy, but the lady wouldn't listen?

153

1 MR. BOWMAN: Objection.  
 2 Foundation. Asked and answered. It's already  
 3 been testified to.  
 4 Q. Is what she has recounted there  
 5 accurate of what you told her?  
 6 MR. BOWMAN: Same objection. No  
 7 foundation for that question.  
 8 A. Like I said, again --  
 9 MR. BOWMAN: Just answer the  
 10 question. Either it is or it isn't.  
 11 A. I don't remember talking to her  
 12 like this. There.  
 13 Q. Okay. In your conversation with  
 14 Jennifer and Cynthia, did you say something  
 15 about that you had heard that Mr. Rivera had an  
 16 alibi so you thought he would be found not  
 17 guilty?  
 18 A. Yeah, I did say that.  
 19 Q. Where did you hear that, that he --  
 20 where did you hear that he had an alibi?  
 21 A. In the court. That was the defense  
 22 of the lawyer where he was saying, you know, he  
 23 wasn't there, because like I said, there is  
 24 certain things I remember vividly and there's  
 25 certain things I don't remember vividly.

155

1 Did you say that to Cynthia and  
 2 Jennifer when you they came to your house?  
 3 MR. BOWMAN: Object to the form of  
 4 the question.

5 A. What I said -- because like I said,  
 6 you guys write -- like I said, you guys write  
 7 however you guys want to write I guess,  
 8 whatever. What I've been saying here is  
 9 exactly what I told her also.

10 Q. Okay.

11 A. So you guys word things differently  
 12 and I -- I'm just shocked. Like I said, I told  
 13 them exactly what I told you and what you've  
 14 been hearing me come out of my mouth.

15 Q. Okay.

16 A. So this is something they wrote. I  
 17 never saw this. So I couldn't tell you -- like  
 18 I said, they word things differently. I don't  
 19 know how they wrote this or whether they -- I  
 20 just -- I'm just amazed how things get written  
 21 here. To say I remember exactly how they said  
 22 this. No, I don't remember saying it like  
 23 this.

24 Q. Is it accurate the way she's got it  
 25 written there?

1 Q. Sure.  
 2 A. I remember the lawyer saying he  
 3 didn't do it. He had an alibi, so that was his  
 4 defense. That I remember saying in those type  
 5 of words.  
 6 Q. So you remember that in the  
 7 courtroom way back in 1990?  
 8 A. Correct.  
 9 Q. And that was from Mr. Rivera's  
 10 lawyer saying arguing or something to the  
 11 judge?  
 12 A. Correct.  
 13 Q. After you had become involved in  
 14 the police investigation into Felix's shooting  
 15 and murder, did you for some period of time  
 16 move to your dad's house on Avers because you  
 17 were afraid of some kind of gang retaliation?  
 18 A. Yes, I did move with my father.  
 19 Q. And when did you do that?  
 20 A. I couldn't tell you the day or the  
 21 time. I just know I moved with my dad.  
 22 Q. And would it have been right around  
 23 the time of the shooting?  
 24 A. No. It didn't happen right away.  
 25 Q. A little bit later?

154

156

1       A. Because I was still living with my  
2 mom.  
3       Q. Was it later?  
4       A. It was later on.  
5       Q. Do you remember if it was before or  
6 after you testified?  
7       A. I don't re- -- like I said, I don't  
8 remember.  
9       Q. Okay. And you had testified  
10 earlier today, and I think I read it in other  
11 places where you talk about that your parents  
12 didn't want you involved in this way back when;  
13 right?  
14       A. Correct.  
15       Q. Why didn't they want you involved?  
16       A. Typical Latinos. We don't want  
17 to -- they were afraid for my life and the  
18 problems -- you know, retaliation from gangs.  
19 You know how that goes over there in Chicago,  
20 it's obvious. They were just concerned about  
21 me, and they didn't want me to get involved.  
22       Q. Because they were afraid for your  
23 safety?  
24       A. And theirs, too.  
25       Q. And theirs, right. The police

157

1       Do you recall how many times you  
2 communicated with Cynthia about the affidavit?  
3            MR. BOWMAN: Object to the form of  
4 the question.  
5       A. A couple of times I assume. You  
6 know, I don't -- to say five, ten I couldn't  
7 tell you that --  
8            MS. ADAMS: Just to be clear, she  
9 communicated with me. She didn't communicate  
10 directly with him.  
11            MS. ROSEN: Oh, okay. Then let me  
12 back up for a second.  
13       A. I'm just, you know -- I was getting  
14 stuff through there --  
15       MS. ROSEN: Okay. Let's go back  
16 and I'll establish --  
17       MS. ADAMS: Relax.  
18       MS. ROSEN: -- sorry, the  
19 foundation.  
20       MS. ADAMS: That's okay.  
21 BY MS. ROSEN:  
22       Q. After you met with Jennifer and  
23 Cynthia, did you communicate with them any  
24 further after that first time directly or was  
25 it all that communication through your

159

1 officers that came out to your house that first  
2 night, the ones that you described earlier as  
3 the blue -- how did you say it blue --  
4       A. Blue boys.  
5       Q. Blue boys. Were there any blue  
6 girls? Were there any female police officers  
7 that came out that night?  
8       A. I didn't notice any female. I just  
9 know they were cops. I didn't look at nobody  
10 being -- I didn't care -- like I said, as a kid  
11 I'm just -- no, there.  
12       Q. Okay. So you just don't remember  
13 one way or another whether there was a female?  
14       A. Yeah, correct.  
15       Q. The female that you described, the  
16 white or blond-haired lady that you tried to  
17 tell that you had gotten it wrong, had you ever  
18 seen her before?  
19       A. No.  
20       Q. Have you seen her since?  
21       A. No.  
22       Q. Okay. Now, we talked a little bit  
23 -- I asked you a few questions earlier about  
24 the affidavit, but I want to go back to that  
25 for a second.

158

1 attorney?  
2       A. Then after that through Jen --  
3 right with Steph.  
4       Q. With Stephanie?  
5       A. Yeah, it's just --  
6       Q. Okay. So you spoke to Jennifer and  
7 Cynthia that first time when they came to your  
8 house unannounced?  
9       A. Uh-huh, yes. I apologize.  
10       Q. And then after that time all  
11 communication with anybody related to  
12 Mr. Rivera was through your attorney,  
13 Ms. Adams; correct?  
14       A. Correct.  
15       Q. And the revisions and the things  
16 that were made and the communications about the  
17 revisions to the affidavit were through your  
18 attorney; correct?  
19       A. It was sent through her and then  
20 come to my -- to here -- then to me through the  
21 computer so I could see and make sure it was  
22 the right way.  
23       Q. Sure, but from Stephanie?  
24       A. Correct.  
25       Q. Okay. Did anybody from

160

1 Mr. Rivera's team contact you directly, not  
 2 through your attorney after that first time  
 3 that they came out to your house?

4 A. Was this -- okay, let me ask a  
 5 question. What team was it something you're  
 6 referring to?

7 Q. That Jennifer or Cynthia --

8 A. Yeah, the -- yes, they -- that's  
 9 where I met, in my house.

10 MS. ADAMS: Okay, now wait. Listen  
 11 to her question. One more time.

12 Q. After that first time when Cynthia  
 13 and Jennifer came out to your house --

14 A. Okay.

15 Q. -- any time after that if you had  
 16 any contact with anybody that was representing  
 17 Mr. Rivera, was that always through your  
 18 attorney?

19 A. Yes.

20 Q. And when you came to Chicago to --  
 21 and before you testified and you met with the  
 22 attorneys that were representing Mr. Rivera at  
 23 that time, was your attorney also present with  
 24 you?

25 A. No.

1 Mr. Rivera in the post conviction proceeding  
 2 where your attorney was expressing some concern  
 3 about the fact that your -- the fact that you  
 4 lived in Ohio was printed in the newspaper and  
 5 that you were concerned about that?

6 A. Yes, I was.

7 Q. Can you tell me why you were  
 8 concerned about that, what you were afraid of?

9 A. Jesus Christ. I got a family first  
 10 and foremost as you -- I don't know if ya'll  
 11 are parents or whatnot and husbands and wives.  
 12 That's your first and foremost.

13 I came to this whole situation  
 14 naive, you know, thinking I'm going to do the  
 15 right thing, which I did, and nothing was going  
 16 to come out of it, none of this suing going on.  
 17 And I thought I was going to testify and game  
 18 over. My concern was my family, main thing.

19 Q. Are you still in touch with your  
 20 sister, Marilyn?

21 A. Not really -- we're, you know we're  
 22 -- after all this been going on, you know, like  
 23 I said, we haven't been not at -- we talk, but  
 24 not like -- hi, bye and that's it.

25 Q. Before Jennifer and Cynthia came

161

163

1 Q. And when you came to Chicago and  
 2 met with those attorneys that were representing  
 3 Mr. Rivera before you testified at the post  
 4 conviction proceeding, how many times did you  
 5 meet with them before you testified?

6 A. That was the only time right there.

7 Q. The one time?

8 A. That one time when we went to  
 9 court.

10 Q. And how long did you meet with them  
 11 before you testified?

12 A. They picked me up from the hotel  
 13 and we went straight to the Cook County Jail,  
 14 whatever you want to call it, the courts.

15 Q. And was Mr. Rivera in court when  
 16 you were there testifying?

17 A. Yes.

18 Q. Did you recognize him?

19 A. Yes.

20 Q. And that was the first time you had  
 21 seen him since the criminal trial; is that  
 22 right?

23 A. Correct.

24 Q. I've seen some emails between your  
 25 attorney and the attorneys representing

1 out to your house and knocked on the door, how  
 2 was your relationship with your sister,  
 3 Marilyn, at that point?

4 A. Okay. Like I said, we live -- she  
 5 lives over there, I live over here, and there's  
 6 not really a tight-knit fit because we're a  
 7 distance.

8 Q. Because she lives out of state, in  
 9 a different state; right?

10 A. Correct.

11 Q. And do you -- she has three  
 12 children; is that what you said?

13 A. Correct.

14 Q. And what's your relationship with  
 15 your nieces or nephews?

16 A. I call them and still, you know,  
 17 encourage them as an uncle, stuff like that.

18 Q. Do you guys ever get together for  
 19 family functions?

20 A. I have gone over there to see my  
 21 nephew, you know, them over there, yes, I have  
 22 done that.

23 Q. Do your children have a  
 24 relationship with her children?

25 A. No, because like I said, we're two

162

164

1 different states.  
 2 Q. In 1988, did you have a street  
 3 name?  
 4 A. My street name was just Macho.  
 5 Q. Macho?  
 6 A. Yeah.  
 7 Q. That's written a police report --  
 8 A. Yeah, Macho.  
 9 Q. -- so I just wanted to make sure  
 10 that that was --  
 11 A. Yeah, that's fine.  
 12 Q. After Felix was shot, did you visit  
 13 him in the hospital?  
 14 A. No, I did not.  
 15 Q. Did -- do you know if Marilyn did?  
 16 A. That I couldn't tell you.  
 17 Q. Did you continue to communicate  
 18 with Israel after Felix got shot?  
 19 A. Yes.  
 20 Q. Did Israel go visit Felix, do you  
 21 know?  
 22 A. I assume he did.  
 23 Q. Do you recall him telling you  
 24 anything about how he was doing or anything  
 25 like that?

165

1 A. No, not to not me. My opinion, no.  
 2 I don't know.  
 3 Q. What was -- back in 1988, what was  
 4 your relationship with Felix and Israel's  
 5 parents?  
 6 A. That I -- you know, dating my  
 7 sister, and, you know, I used go to their  
 8 house, and that was pretty much it. Nothing  
 9 major. It was still young in the relationship  
 10 with my sister and, you know, they were so  
 11 young, but still we knew from, you know, being  
 12 on Campbell and stuff like that, that's how I  
 13 knew them.  
 14 Q. Do you know an individual by the  
 15 name of Angel Villafane?  
 16 A. It does not ring a bell to me.  
 17 Q. How about Carlos Olivero?  
 18 A. If you're asking me about these  
 19 guys' name, I don't know. They got to give me  
 20 street names. I don't know. We never knew  
 21 each other really by our first name -- our real  
 22 names. We just by our nicknames.  
 23 Q. How about somebody by the name of  
 24 George Ruiz?  
 25 A. That doesn't ring a bell, no.

167

1 A. No, that he never told me. He  
 2 didn't really say nothing about that.  
 3 Q. Do you recall how long Felix stayed  
 4 alive before he passed away after the shooting?  
 5 A. No, I do not.  
 6 Q. Do you know how many times Felix  
 7 was shot?  
 8 A. After the report I read I think it  
 9 was like nine times, I think it was. That's  
 10 what I read, I don't know.  
 11 Q. Do you know what report you read  
 12 that said that? Was it a police report?  
 13 A. No, it was a -- you know, how  
 14 people -- you know how you and I would be  
 15 gossiping on the side like, yeah, yeah, I think  
 16 he got shot nine times, but never read it on a  
 17 report.  
 18 But, you know, after the report --  
 19 like I said, I went through this report, there  
 20 was just certain things that stuck out to me  
 21 and certain things that -- you guys are into  
 22 details. My details, I saw the individual who  
 23 did it. That's all I care about. So that's  
 24 what I'm focusing on.  
 25 Q. Did Felix and Israel look alike?

166

1 Q. Ramon Lopez?  
 2 A. No.  
 3 Q. Jose Rodriguez?  
 4 A. No.  
 5 Q. Just give me one second.  
 6 Do you know where Felix went to  
 7 school?  
 8 A. I couldn't -- he went to school was  
 9 Roberto Clemente probably.  
 10 MS. ROSEN: Okay. Why don't we  
 11 take a quick break, and I think I'm just about  
 12 done, and then I think Mr. Given might have  
 13 some questions for you.  
 14 MR. GIVEN: I likely will, and if  
 15 we take like 10, 15 minutes it could pay off in  
 16 the long run.  
 17 MR. BOWMAN: Understood.  
 18 THE COURT: Off the record 3:10.  
 19 (Recess taken 3:10 p.m.)  
 20 -----  
 21 THE VIDEOGRAPHER: On the record.  
 22 The time is 3:29.  
 23 (Deposition resumed 3:29 p.m.)  
 24 MS. ROSEN: Mr. Lopez, I don't have  
 25 any further questions. Thanks.

168

1 EXAMINATION OF ORLANDO LOPEZ  
 2 BY MR. GIVEN:  
 3 Q. Hi, Mr. Lopez. My name is Jeff  
 4 Given. I introduced myself to you at the  
 5 beginning of the day. I represent the  
 6 defendant police officers who are being sued by  
 7 Mr. Rivera in this case.  
 8 I have a few questions for you.  
 9 Some of them may sound like questions that  
 10 you've been asked earlier, and I apologize, but  
 11 I have tried to pare them down so we will not  
 12 be here any longer than I hope we need to be;  
 13 okay?  
 14 A. Okay.  
 15 Q. On August 27, 1988 you saw Felix  
 16 Valentin get shot; correct?  
 17 A. Correct.  
 18 Q. And later that evening police came  
 19 to your house; right?  
 20 A. Correct.  
 21 Q. And you talked with the police and  
 22 you told them what you had seen?  
 23 A. Correct.  
 24 Q. You told them you had witnessed the  
 25 shooting?

169

1 A. Correct.  
 2 Q. Now, you told the police you didn't  
 3 know the name of the guy that shot Felix, but  
 4 that you had seen him a few times playing  
 5 baseball in Humboldt Park; right?  
 6 A. I did say that, correct.  
 7 Q. And then the police came back to  
 8 your house a little while later that same night  
 9 with some gang books and photographs of Latin  
 10 Kings; right?  
 11 A. Correct.  
 12 Q. And you went through those books  
 13 for about an hour?  
 14 A. Just, yeah --  
 15 Q. More or less?  
 16 A. Yeah, more or less.  
 17 Q. And you looked at about 100  
 18 photographs?  
 19 A. I guess, yes.  
 20 Q. These were big thick binders --  
 21 A. Correct.  
 22 Q. -- that you had described earlier?  
 23 A. Correct.  
 24 Q. And you went through those books  
 25 very carefully?

171

1 A. Correct.  
 2 Q. And you told them that the shooter  
 3 was a Latin King because the car turned south  
 4 into Latin King territory; right?  
 5 A. Correct.  
 6 Q. And if I understand it right,  
 7 Cortland Street was sort of a buffer between  
 8 the Imperial Gangsters and the Latin Kings;  
 9 correct?  
 10 A. Correct.  
 11 Q. And, in fact, the car with the  
 12 shooter, after it took off, turned right onto  
 13 Spaulding; correct?  
 14 A. Correct.  
 15 Q. And that was into Latin King  
 16 territory; right?  
 17 A. Correct.  
 18 Q. And, in fact, that's where you  
 19 would expect a Latin King to go after shooting  
 20 a person by your house; correct?  
 21 A. Correct.  
 22 Q. In fact, it would be foolish for a  
 23 member of a rival gang to drive into Latin King  
 24 territory under those kinds of circumstances;  
 25 right?

170

1 A. Correct.  
 2 Q. And you wanted to make sure that  
 3 the person you picked, if any, would be the  
 4 right guy; right?  
 5 A. Correct.  
 6 Q. And that's why you were very  
 7 careful as you went through those books; right?  
 8 A. Correct.  
 9 MR. GIVEN: Somebody's phone is  
 10 buzzing.  
 11 MS. ROSEN: It's done.  
 12 MR. GIVEN: Okay.  
 13 Q. Now, after all this time of looking  
 14 at the books, you ultimately picked a photo of  
 15 the person you believed shot Felix; right?  
 16 A. Correct.  
 17 Q. And that person was Jacques Rivera?  
 18 A. Correct.  
 19 Q. And you told the police you were  
 20 certain it was him; didn't you?  
 21 A. Correct.  
 22 Q. And they asked you a couple times,  
 23 are you sure and you said, yes, I'm sure.  
 24 A. Correct.  
 25 Q. And at that time you believed the

172

1 shooter was Jacques Rivera; didn't you?  
 2 A. At the time, yes.  
 3 Q. Now, the police didn't force you to  
 4 pick that photos; did they?  
 5 A. No.  
 6 Q. They didn't trick you into picking  
 7 that photo; did they?  
 8 A. No.  
 9 Q. Now, on other occasions besides the  
 10 night of the shooting, police also showed you  
 11 other photographs of other gang members at  
 12 various times; didn't they?  
 13 A. No.  
 14 MR. BOWMAN: Objection to form.  
 15 Q. Well, do you remember testifying in  
 16 this case at the criminal trial back in April  
 17 1990?  
 18 A. I remember I was at a trial but to  
 19 tell you 1990, April, I couldn't tell you that  
 20 yes or no.  
 21 Q. Well, you remember testifying as --  
 22 when you were about 13 years old in --  
 23 A. At that age, yes, around that age.  
 24 Q. And it was in the criminal case of  
 25 Jacques Rivera?

173

1 On the front page you see that  
 2 there's a date April 5, 1990; do you see that?  
 3 A. Yes.  
 4 Q. And it says bench trial; correct?  
 5 A. Correct.  
 6 Q. And then it says The People of the  
 7 State of Illinois versus Jacques Rivera. Do  
 8 you see that?  
 9 A. Yes.  
 10 Q. Does that help refresh your  
 11 recollection that the trial that you testified  
 12 at was in April of 1990?  
 13 A. That doesn't help me at all as what  
 14 day it was.  
 15 Q. Okay. You don't have any reason to  
 16 dispute the date of --  
 17 A. Oh, no, no, no. I'm not disputing  
 18 your dates. I'm just disputing the fact that I  
 19 couldn't tell you the date.  
 20 Q. Sure. I understand.  
 21 THE VIDEOGRAPHER: I'm sorry, could  
 22 you move your microphone up?  
 23 MR. GIVEN: Is that better?  
 24 THE VIDEOGRAPHER: Yes. Thank you.  
 25 Q. Now, do you remember you were asked

175

1 A. Correct.  
 2 Q. You just don't remember if it was  
 3 April of 1990 or what month.  
 4 A. No, that I don't remember.  
 5 Q. And you were sworn to tell the  
 6 truth in that trial; correct?  
 7 A. Correct.  
 8 Q. And would you agree with me that  
 9 your memory back in that time period when you  
 10 testified, which was a couple years after the  
 11 shooting, was better then than it is today with  
 12 regard to the events of the shooting?  
 13 A. Yeah, my memory was -- at 13, yeah,  
 14 I guess. Yes.  
 15 Q. Okay. Let's mark the next exhibit  
 16 as Exhibit 38.  
 17 - - - - -  
 18 (Thereupon, Deposition Exhibit 38,  
 19 Bench Trial, was marked for purposes  
 20 of identification.)  
 21 - - - - -  
 22 MR. GIVEN: Stephanie you want  
 23 to --  
 24 Q. And just take a quick look at it.  
 25 You don't need to read it all right now.

174

1 questions at the trial by lawyers; correct?  
 2 A. Correct.  
 3 Q. And you answered those questions as  
 4 best you could; correct?  
 5 A. Correct.  
 6 Q. Were you asked the following  
 7 questions and did you give the following  
 8 answers? Question: Were you ever shown a  
 9 photograph of a man named Rodriguez that was in  
 10 the Imperial Gangsters? Did police ever show  
 11 you his photograph? Answer: No. Question:  
 12 They did not? Answer: They showed me some  
 13 other pictures of some other gang members.  
 14 Were you asked those questions and  
 15 did you give that answer? I'm sorry, Stephanie  
 16 this is on --  
 17 MS. ADAMS: I got it.  
 18 A. If I said I --  
 19 MR. BOWMAN: Hang on, hang on. I  
 20 need to make an objection before you answer,  
 21 and the objection is that if this was being  
 22 read for purposes of impeachment, it is not  
 23 impeaching, and if it's not for impeachment  
 24 then it's hearsay.  
 25 MR. GIVEN: It is for impeachment.

176

1 BY MR. GIVEN:

2 Q. And let me ask again, Mr. Lopez, on  
3 other occasions besides the night of the  
4 shooting police showed you other photographs of  
5 other gang members; didn't they?

6 MR. BOWMAN: Objection.

7 A. No, they did not.

8 Q. So during the course of the  
9 investigation you don't -- do you remember one  
10 way or the other if the police showed you other  
11 photographs besides the gang books?

12 A. Latin Kings, and I repeated Latin  
13 Kings. That was it.

14 Q. You were interviewed quite a few  
15 times about this case; weren't you?

16 A. Presumably, yeah, I -- yes.

17 Q. And you can't remember all the  
18 times that you were interviewed and showed  
19 photographs; can you?

20 A. I was only showed Latin Kings.  
21 Those were the only pictures they showed me.

22 Q. Now, some time after you picked out  
23 Jacques Rivera's photograph from the gang book,  
24 you viewed a lineup at a police station;  
25 correct?

177

1 white-haired woman that you had picked the  
2 wrong guy?

3 A. Correct.

4 Q. And the white-haired lady told you  
5 not to be afraid, nothing was going to happen  
6 to you, you would be protected; is that  
7 correct?

8 A. In those lines, yes.

9 Q. And this conversation was the first  
10 time you had ever encountered that white-haired  
11 lady; correct?

12 A. Correct.

13 Q. And the white-haired lady was the  
14 only person you told that the shooter wasn't  
15 Rivera; is that correct?

16 MR. BOWMAN: Objection. That  
17 misstates the testimony. He's testified there  
18 were two people present at the time.

19 MR. GIVEN: Stop the speaking  
20 objections. If you have an objection, state it  
21 cleanly. I'll ask my question again.

22 MR. BOWMAN: You can't ask a  
23 question that misstates the testimony.

24 MR. GIVEN: I am not and --  
25 misstating the testimony. I am asking a

179

1 A. Yes. I did a lineup.

2 Q. And you believe you saw two  
3 lineups; correct?

4 A. Yes.

5 MR. BOWMAN: Objection. That's not  
6 his testimony.

7 Q. And it's true, isn't it, that you  
8 picked Jacques Rivera in every live lineup that  
9 you saw; correct?

10 A. Correct.

11 Q. There's no doubt in your mind; is  
12 there?

13 A. No.

14 Q. Now, while you were at the police  
15 station but before you viewed a lineup, you had  
16 a conversation with a white-haired woman;  
17 correct?

18 MR. BOWMAN: Objection. Misstates  
19 the testimony.

20 A. Answer?

21 MR. BOWMAN: Answer.

22 MS. ADAMS: You can answer.

23 A. Yeah, I did say something about a  
24 lady with white hair, yes.

25 Q. Okay. And you told this

178

1 question. I will ask it again.

2 BY MR. GIVEN:

3 Q. The white-haired lady was the only  
4 person you told that the shooter wasn't Rivera;  
5 correct?

6 MR. BOWMAN: Objection. Same  
7 objection. Misstates.

8 MS. ADAMS: You can answer.

9 A. There was -- oh, Lord. I said  
10 white lady --

11 Q. Let me ask my question again.

12 MR. BOWMAN: He hasn't finished  
13 answering yet, and you can't interrupt him.

14 MS. ADAMS: Listen to the question  
15 and just answer that.

16 A. Yeah, I told the lady -- white  
17 lady --

18 MS. ADAMS: Listen to what he asked  
19 you. One more time. Listen to his question.

20 Q. Let me ask my question again. The  
21 white-haired lady was the only person you told  
22 that the shooter wasn't Rivera; correct?

23 MR. BOWMAN: Objection. Misstates  
24 his testimony.

25 A. At the time, yes, I told her, only

180

1 her. I'm assuming I told her because she was  
 2 the only one that was telling me that things  
 3 will be fine.

4 Q. And then a few minutes after you  
 5 had this conversation with the white-haired  
 6 lady you went to a lineup and you picked Rivera  
 7 again; correct?

8 A. Yeah, I picked him -- I picked him  
 9 out twice.

10 Q. Now, the police did not point  
 11 Rivera out to you in the lineup; did they?

12 A. No.

13 Q. And they didn't point him out to  
 14 you in those gangs books; did they?

15 A. Nope.

16 Q. And the police or no one else in  
 17 authority at the station ever forced you to  
 18 identify Rivera as the shooter in the lineup;  
 19 did they?

20 A. Correct.

21 Q. In fact, you told Cynthia Estes and  
 22 Jennifer Linzer in February 2010 that you  
 23 wanted them to know that the police did not  
 24 force you into picking anybody out; didn't you?

25 A. Correct.

1 MR. BOWMAN: We'll take one last  
 2 break, and I'll have a few questions or  
 3 possibly not. We're close to the end.

4  
 5 THE VIDEOGRAPHER: Off the record  
 6 3:42.  
 7 (Recess taken 3:42 p.m.)

8 -----  
 9  
 10 THE VIDEOGRAPHER: Back on the  
 11 record. The time is 3:52.

12 (Deposition resumed 3:52 p.m.)  
 13 MR. BOWMAN: Mr. Lopez, I -- once  
 14 again I want to thank you for your cooperation  
 15 in this process. I do not have any further  
 16 questions for you. So that concludes the  
 17 questioning and your lawyer will advise you  
 18 regarding the rights that you have with respect  
 19 to the transcript that's going to be made of  
 20 your deposition.

21 MS. ADAMS: He'll read, of course.

22 MR. BOWMAN: Very good. So before  
 23 we go off the record there is one thing that  
 24 Mr. Given brought to my attention during one of  
 25 our breaks. Specifically with reference to

181 183

1 MR. BOWMAN: Objection to that  
 2 foundation. Form.

3 Q. Now, at Mr. Rivera's criminal trial  
 4 in April of 1990, you testified in court that  
 5 Jacques Rivera was the person who shot and  
 6 killed Felix Valentin; didn't you?

7 A. At the trial, yes.

8 Q. And that was a lie; wasn't it?

9 A. Yes, it was.

10 Q. And you knew it was a lie; right?

11 A. Yes.

12 Q. Now, nobody forced you to lie;  
 13 correct?

14 A. Correct.

15 Q. The police didn't pressure you into  
 16 falsely identifying Jacques at the trial; did  
 17 they?

18 A. No.

19 Q. The police didn't force you to pick  
 20 Jacques Rivera's photograph from the gang book;  
 21 did they?

22 A. No.

23 Q. Just give me a second.

24 MR. GIVEN: I don't have any other  
 25 questions.

1 Exhibit 31, which is the Google Maps page with  
 2 3320 West Cortland and the surrounding area in  
 3 Chicago. As Mr. Lopez testified, there is an  
 4 A, which is within a bubble, and that is  
 5 supposed to designate the address 3320 West  
 6 Cortland.

7 In fact, that A we can all see is  
 8 misplaced. The map depicts the alley between  
 9 Kimball and Spaulding that ran adjacent to 3320  
 10 just to the east and the bubble, therefore,  
 11 should be placed just to the left on our map of  
 12 that alley, and I'm just going to take my ink  
 13 pen and make an X at the location where 3320  
 14 should be designated on this map, and I think  
 15 we all stipulate that that's the correct  
 16 location.

17 MS. ROSEN: Yes.

18 MR. GIVEN: I agree.

19 MR. BOWMAN: And that concludes our  
 20 record. So we're off the record at this point.

21 THE VIDEOGRAPHER: Off the record  
 22 3:54.

23 (Whereupon the deposition was  
 24 concluded at 3:54 p.m.)

25

182 184

46 (Pages 181 to 184)

1 Whereupon, counsel was requested to give  
 2 instruction regarding the witness's review of  
 3 the transcript pursuant to the Civil Rules.  
 4

5 **SIGNATURE:**

6 Transcript review was requested pursuant to the  
 7 applicable Rules of Civil Procedure.  
 8

9 **TRANSCRIPT DELIVERY:**

10 Counsel was requested to give instruction  
 11 regarding delivery date of transcript.  
 12

13 Original - Mr. Bowman

14 Copy - Mr. Given

1 I do further certify that I am not  
 2 a relative, counsel or attorney for either  
 3 party, or otherwise interested in the event of  
 4 this action.

5 IN WITNESS WHEREOF, I have hereunto  
 6 set my hand and affixed my seal of office at  
 7 Cleveland, Ohio, on this \_\_\_\_\_ day of  
 8 \_\_\_\_\_, 2013.

10  
 11  
 12  
 13  
 14 Toni DiNardo, RPR, Notary Public  
 15 within and for the State of Ohio

16  
 17 My commission expires January 12, 2015.  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

185

187

1 **REPORTER'S CERTIFICATE**

2 The State of Ohio, )

3 SS:

4 County of Cuyahoga. )

5  
 6 I, Toni DiNardo, RPR, a Notary  
 7 Public within and for the State of Ohio, duly  
 8 commissioned and qualified, do hereby certify  
 9 that the within named witness, ORLANDO LOPEZ,  
 10 was by me first duly sworn to testify the  
 11 truth, the whole truth and nothing but the  
 12 truth in the cause aforesaid; that the  
 13 testimony then given by the above-referenced  
 14 witness was by me reduced to stenotypy in the  
 15 presence of said witness; afterwards  
 16 transcribed, and that the foregoing is a true  
 17 and correct transcription of the testimony so  
 18 given by the above-referenced witness.

19 I do further certify that this  
 20 deposition was taken at the time and place in  
 21 the foregoing caption specified and was  
 22 completed without adjournment.  
 23  
 24  
 25

1 **DEPOSITION REVIEW  
 2 CERTIFICATION OF WITNESS**

3 ASSIGNMENT NO: 1669960  
 4 CASE NAME: Rivera, Jacques v. Guevara, Reynaldo, Et Al  
 5 DATE OF DEPOSITION: 5/29/2013  
 6 WITNESS' NAME: Orlando Lopez  
 7 In accordance with the Rules of Civil  
 8 Procedure, I have read the entire transcript of  
 9 my testimony or it has been read to me.  
 10 I have made no changes to the testimony  
 11 as transcribed by the court reporter.  
 12

9 Date Orlando Lopez  
 10 Sworn to and subscribed before me, a  
 11 Notary Public in and for the State and County,  
 12 the referenced witness did personally appear  
 13 and acknowledge that:

14 They have read the transcript;  
 15 They signed the foregoing Sworn  
 16 Statement; and  
 17 Their execution of this Statement is of  
 18 their free act and deed.

19 I have affixed my name and official seal

20 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

21 Notary Public

22 Commission Expiration Date

186

47 (Pages 185 to 188)

1 DEPOSITION REVIEW  
2 CERTIFICATION OF WITNESS  
3  
4 ASSIGNMENT NO: 1669960  
5 CASE NAME: Rivera, Jacques v. Guevara, Reynaldo, Et Al  
6 DATE OF DEPOSITION: 5/29/2013  
7 WITNESS' NAME: Orlando Lopez  
8 In accordance with the Rules of Civil  
9 Procedure, I have read the entire transcript of  
10 my testimony or it has been read to me.  
11 I have listed my changes on the attached  
12 Errata Sheet, listing page and line numbers as  
13 well as the reason(s) for the change(s).  
14 I request that these changes be entered  
15 as part of the record of my testimony.  
16  
17 I have executed the Errata Sheet, as well  
18 as this Certificate, and request and authorize  
19 that both be appended to the transcript of my  
20 testimony and be incorporated therein.  
21

22 Date Orlando Lopez  
23

24 Sworn to and subscribed before me, a  
25 Notary Public in and for the State and County,  
the referenced witness did personally appear  
and acknowledge that:

26 They have read the transcript;  
27 They have listed all of their corrections  
28 in the appended Errata Sheet;  
29 They signed the foregoing Sworn  
30 Statement; and  
31 Their execution of this Statement is of  
32 their free act and deed.  
33 I have affixed my name and official seal  
34 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
35

36 Notary Public  
37

38 Commission Expiration Date  
39

40 1 ERRATA SHEET  
41 RENNILLO DEPOSITION & DISCOVERY - A VERITEXT COMPANY  
42  
43 2 ASSIGNMENT NO: 1669960  
44 3 PAGE/LINE(S) / CHANGE /REASON  
45  
46 4 \_\_\_\_\_  
47 5 \_\_\_\_\_  
48 6 \_\_\_\_\_  
49 7 \_\_\_\_\_  
50 8 \_\_\_\_\_  
51 9 \_\_\_\_\_  
52 10 \_\_\_\_\_  
53 11 \_\_\_\_\_  
54 12 \_\_\_\_\_  
55 13 \_\_\_\_\_  
56 14 \_\_\_\_\_  
57 15 \_\_\_\_\_  
58 16 \_\_\_\_\_  
59 17 \_\_\_\_\_  
60 18 \_\_\_\_\_  
61 19 \_\_\_\_\_  
62  
63 20 Date Orlando Lopez  
64 21 SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_  
65 22 DAY OF \_\_\_\_\_, 20\_\_\_\_\_.  
66  
67 23 Notary Public  
68  
69  
70 24  
71  
72 25 Commission Expiration Date  
73

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A</b> | 128:4 151:8<br>151:11,25<br>158:24 159:2<br>160:17<br><b>affiliation</b><br>62:24<br><b>affixed</b><br>187:6 188:15<br>189:21<br><b>aforesaid</b><br>186:12<br><b>afraid</b><br>50:13 80:5<br>90:20 93:22<br>94:4 97:4,6<br>97:7 101:3<br>156:17<br>157:17,22<br>163:8 179:5<br><b>aftersnoon</b><br>11:13 37:4,9<br>45:8 107:13<br>119:24 122:4<br>122:7<br><b>age</b><br>10:21 25:10<br>30:20 50:9<br>136:7,10<br>147:16,21<br>173:23,23<br><b>ago</b><br>16:25 65:17<br>66:10 96:9<br>110:14<br><b>agree</b><br>26:14 174:8<br>184:18<br><b>ahead</b><br>31:11 85:4<br>112:1,3<br>143:14<br>149:17<br><b>al</b><br>1:11 188:3<br>189:3<br><b>alibi</b><br>155:16,20<br>156:3<br><b>alike</b><br>166:25<br><b>alive</b><br>149:2 166:4<br><b>alley</b><br>28:21 36:19,22<br>38:6,11<br>41:14 42:2,5<br>42:7 43:4<br>45:2 46:15<br>47:13 53:18<br>57:14 106:1<br>108:19<br>109:14 134:8<br>135:20 184:8<br>184:12<br><b>amazed</b><br>154:20<br><b>amazing</b><br>115:12<br><b>anand</b><br>2:15,20 10:11<br><b>angel</b><br>167:15<br><b>angels</b><br>81:20<br><b>anger</b><br>138:4<br><b>anniversary</b><br>20:14<br><b>answer</b><br>11:23 12:8<br>13:3,5 19:18<br>85:4,9 87:6<br>109:10<br>112:18,20,24<br>117:1 131:14<br>143:13,14<br>149:3 151:2<br>153:4 155:9<br>176:11,12,15<br>176:20<br>178:20,21,22<br>180:8,15<br><b>answered</b><br>11:24 65:10<br>85:10 105:5<br>108:21<br>109:18 155:2<br>176:3<br><b>answering</b><br>12:14 13:18<br>24:19 105:6<br>148:12,12,12<br>148:14<br>180:13<br><b>answers</b><br>11:20 36:19<br>176:8<br><b>antagonized</b><br>91:19<br><b>anybody</b><br>46:25 76:9<br>109:7 117:1<br>118:16 136:2<br>141:12<br>160:11,25<br>161:16<br>181:24<br><b>anybodys</b><br>19:23<br><b>apart</b><br>102:21<br><b>apartment</b><br>28:17,19 32:14<br>34:1 37:10<br>37:11 38:14<br>38:16,19,23<br>41:12,13<br>43:16 45:2<br>47:22 63:17<br>65:5 133:11<br>134:7 142:14<br><b>apologies</b><br>71:12<br><b>apologize</b><br>34:24 55:19<br>73:21 79:11<br>85:21 91:20<br>103:18<br>115:18 116:3<br>116:4 138:9<br>148:13 160:9<br>169:10<br><b>appear</b><br>188:11 189:15<br><b>appearance</b><br>73:24<br><b>appearances</b><br>2:1 3:1 4:1<br>5:3 10:6<br><b>appeared</b><br>63:9<br><b>appended</b><br>189:11,18<br><b>applicable</b><br>185:7<br><b>appreciate</b><br>44:6 119:9,14<br>138:14<br><b>approximately</b><br>21:9 37:13<br>102:5<br><b>april</b><br>173:16,19<br>174:3 175:2<br>175:12 182:4<br><b>area</b><br>19:10,15 20:17<br>22:10,18,19<br>33:20 80:5<br>128:8 130:13<br>130:14<br>142:19<br>145:16 146:8<br>184:2<br><b>arguing</b><br>156:10<br><b>armitage</b><br>32:17,20 34:20<br>42:9 85:13<br>88:9,10,23<br>89:3,4,11<br>93:5,13<br>129:25 130:2<br><b>arrangement</b><br>29:10<br><b>arrested</b><br>132:25<br><b>asked</b><br>12:25 13:7,17<br>13:18 34:12<br>60:20 61:7<br>64:18 66:16<br>66:18,19,21<br>73:5 75:5<br>83:12,15<br>84:15 104:2<br>105:5 108:20<br>109:17<br>116:14<br>122:14<br>123:20<br>127:13,14<br>138:14,22<br>150:8,15,20<br>167:18<br>179:25<br><b>asking</b><br>12:7 27:11<br>34:5,7 60:17<br>65:7 85:17<br>86:7,10<br>87:16 92:4,5<br>92:7 113:1<br>113:14<br>114:19<br>115:12<br>123:15<br>138:24 139:6<br>139:14,22<br>150:8,15,20<br>167:18<br>179:25<br><b>assignment</b><br>188:2 189:2<br>190:2<br><b>assume</b><br>13:6 30:19<br>54:9 70:4<br>72:21 98:11<br>159:5 165:22<br><b>assumed</b><br>61:18 97:6<br><b>assuming</b><br>14:2 32:11<br>56:6,6 61:2<br>68:24 93:16<br>147:20 181:1<br><b>assumption</b><br>61:24 62:2<br>71:21<br><b>assumptions</b><br>96:20<br><b>assured</b><br>95:14<br><b>assuring</b><br>79:12 94:5<br>95:21 96:6<br>97:2,4,13<br>101:8<br><b>attached</b><br>189:7<br><b>attend</b><br>27:20<br><b>attended</b><br>27:21<br><b>attending</b><br>27:16,18<br><b>attention</b><br>183:24<br><b>attorney</b><br>5:16 127:1,9<br>160:1,12,18<br>161:2,18,23<br>162:25 163:2<br>187:2<br><b>attorneys</b><br>124:4 161:22<br>162:2,25<br><b>attracted</b><br>24:10<br><b>audibly</b><br>11:23<br><b>august</b><br>17:13 18:7<br>25:20,24<br>26:16 169:15<br><b>authority</b><br>181:17<br><b>authorize</b><br>189:11<br><b>avenue</b><br>2:7 35:2<br><b>avers</b><br>27:24 35:13<br>118:1 156:16<br><b>avoid</b><br>12:5<br><b>aware</b><br>133:1 145:20<br>146:6<br><b>awhile</b><br>124:7<br><b>b</b> |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                    |                      |                 |                      |                 |                       |
|--------------------|----------------------|-----------------|----------------------|-----------------|-----------------------|
| 69:11,13,17        | 116:19 119:8         | <b>bud</b>      | 109:13 134:8         | <b>22:11</b>    | <b>color</b>          |
| 69:20 70:2,6       | 122:14 125:7         | 67:2            | 135:22,23,23         | 23:14           | 40:18 54:24,25        |
| 71:8 95:12         | 135:2 140:13         | <b>buffer</b>   | 142:7,9,9            | 25:16           | 56:7 62:18            |
| <b>binders</b>     | 143:11               | 170:7           | 147:24 170:3         | 30:13           | 63:7                  |
| 69:9,10,23         | 144:10               | <b>building</b> | 170:11               | 62:20           | <b>colored</b>        |
| 70:8,11,14         | 150:12               | 28:17 36:20,23  |                      | 122:10          | 55:4                  |
| 70:22 71:2         | 152:25 153:7         | 37:1,5,21       |                      | 123:13,18       | <b>colors</b>         |
| 71:16 171:20       | 154:3 155:1          | 38:5,10 45:4    |                      | 124:3,10        | 62:22 63:2,4          |
| <b>birth</b>       | 155:6,9              | 45:19 47:12     |                      | 150:3 157:19    | <b>columbus</b>       |
| 25:8               | 159:3 168:17         | 49:21 50:23     |                      | 161:20 162:1    | 4:6                   |
| <b>bit</b>         | 173:14               | 53:19 80:17     |                      | 184:3           | <b>com</b>            |
| 122:17 128:7       | 176:19 177:6         | 80:21,22        |                      | 171:25          | 2:20 3:15,15          |
| 156:25             | 178:5,18,21          | 143:8           |                      | 136:13          | 3:25 4:8              |
| 158:22             | 179:16,22            |                 |                      | <b>children</b> | 13:22 23:7            |
| <b>black</b>       | 180:6,12,23          | <b>business</b> | 167:17               |                 | 36:6,10,16            |
| 39:25 40:1,1,9     | 182:1 183:1          | 84:12 98:4      | 19:22                |                 | 37:3,8 59:14          |
| 40:10 43:15        | 183:13,22            | 115:1           | 21:21                |                 | 69:1 80:7             |
| 45:20 46:9         | 184:19               | <b>buzzing</b>  | 103:24               |                 | 92:13,20              |
| 56:23 58:22        | 185:12               | 172:10          | 95:13                |                 | 94:10 96:16           |
| 62:21 63:4         | <b>box</b>           | <b>bye</b>      | <b>case</b>          |                 | 163:9                 |
| 89:24 91:23        | 22:19                | 163:24          | 1:9 14:17 60:5       |                 | 101:16                |
| 93:6 115:9         | <b>boy</b>           |                 | 86:9 87:4            |                 | 104:17                |
| <b>blew</b>        | 30:21 62:14          |                 | 92:6 93:14           |                 | 111:13,13             |
| 46:17              | 64:5 130:16          | <b>calendar</b> | 94:2,3 97:8          |                 | <b>city</b>           |
| <b>block</b>       | <b>boyfriend</b>     | 26:9            | 97:25 102:7          | 170:24          | 127:13                |
| 49:22              | 31:3 68:17           | <b>call</b>     | 102:23 104:4         | 3:17            | 133:13                |
| <b>blond</b>       | <b>boys</b>          | 46:16 63:5      | 122:25 124:5         | 10:14           | 135:15 142:5          |
| 95:18              | 30:15 60:16          | 76:7 77:6,7     | 128:5 169:7          | 14:7 21:12      | 142:13 145:4          |
| <b>blondhaired</b> | 61:23 64:1           | 104:15          | 173:16,24            | 23:6 25:16      | 154:14                |
| 158:16             | 64:22,23             | 143:20          | 177:15 188:3         | 33:19 34:21     | 160:20                |
| <b>blue</b>        | 128:23,25            | 162:14          | 189:3                | 122:9           | 163:16                |
| 56:4,9 60:16       | 129:7 130:20         | 164:16          | <b>casualty</b>      | <b>civil</b>    | <b>comes</b>          |
| 64:1,5,22,23       | 130:22 158:4         | 10:21 60:16     | 21:24                | 10:23 122:25    | 112:21                |
| 105:25 158:3       | 158:5                | 69:9            | <b>cat</b>           | 185:3,7         | <b>coming</b>         |
| 158:3,4,5,5        | <b>brain</b>         | <b>calls</b>    | 40:22                | 188:5 189:5     | 14:22 15:23           |
| <b>blues</b>       | 55:8                 | 118:22          | <b>catch</b>         |                 | 47:1 54:2             |
| 60:15              | <b>break</b>         | <b>camera</b>   | 30:8 57:21,22        |                 | 68:14 102:11          |
| <b>bluhm</b>       | 13:11,13 59:5        | 41:23 43:7      | <b>caucasian</b>     |                 | 102:14,22             |
| 2:4 44:13,13       | 92:17 110:15         | <b>campbell</b> | 95:15,16             |                 | 103:18                |
| 48:9 52:2          | 110:16               | 30:4,9,10       | <b>cause</b>         |                 | 105:12 106:6          |
| 140:23,23          | 119:17               | 61:23 62:14     | 84:24 86:8           |                 | 106:13,14             |
| <b>bluntly</b>     | 168:11 183:2         | 68:15,19,22     | 186:12               |                 | 107:3 109:5           |
| 103:18             | <b>breaks</b>        | 128:23,25       | <b>caused</b>        |                 | 115:18 137:8          |
| <b>boarded</b>     | 183:25               | 129:7 130:16    | 73:24 89:21          |                 | <b>commission</b>     |
| 134:20 135:8       | <b>bring</b>         | 130:19,20,22    | 90:9 100:20          |                 | 187:17 188:19         |
| <b>bombard</b>     | 55:9 111:12          | 167:12          | <b>center</b>        |                 | 189:25                |
| 148:11             | 140:7                | <b>cant</b>     | 33:24                |                 | 190:25                |
| <b>book</b>        | <b>bringing</b>      | 21:2 27:7       | <b>central</b>       |                 | <b>commissioned</b>   |
| 71:19 72:21        | 60:25                | 37:18 45:22     | 35:12 36:11,12       |                 | 186:8                 |
| 73:2 152:16        | <b>brother</b>       | 66:12 70:3      | 88:10,23             |                 | <b>communicate</b>    |
| 153:19             | 31:22 48:3           | 72:11 79:8      | 130:1,2,3            |                 | 159:9,23              |
| 177:23             | 88:12 107:3          | 80:15 98:17     | <b>certain</b>       |                 | 165:17                |
| 182:20             | 107:4 108:24         | 109:25          | 155:24,25            |                 | <b>communicated</b>   |
| <b>books</b>       | 110:4 144:12         | 131:13 135:4    | 166:20,21            |                 | 159:2,9               |
| 61:1,2 66:24       | 145:4,7,8,9          | 136:8 141:23    | 172:20               |                 | <b>communication</b>  |
| 66:24 67:5,6       | 145:12,14,17         | 141:25 149:3    | <b>certificate</b>   |                 | 159:25 160:11         |
| 67:8,9 69:4        | 145:22 146:1         | 177:17          | 5:13 186:1           |                 | <b>communications</b> |
| 71:8,10,25         | 146:4,9,23           | 179:22          | 189:11               |                 | 160:16                |
| 72:6 77:13         | 147:12,15            | 180:13          | <b>certification</b> |                 | <b>company</b>        |
| 93:8 171:9         | <b>brotherinlaw</b>  | <b>caption</b>  | 188:1 189:1          |                 | 190:1                 |
| 171:12,24          | 30:4 47:19           | 186:21          | <b>certified</b>     |                 | <b>completed</b>      |
| 172:7,14           | 61:22 62:10          | 37:23,24 38:4   | 10:24                |                 | 186:22                |
| 177:11             | 62:11 108:24         | 38:9,12,17      | <b>certify</b>       |                 | <b>completely</b>     |
| 181:14             | 132:19 133:3         | 38:22,25        | 186:8,19 187:1       |                 | 25:14 69:13           |
| <b>borderline</b>  | 134:4                | 39:8 41:16      | <b>car</b>           |                 | <b>complies</b>       |
| 130:5              | <b>brotherinlaws</b> | 42:5,8,21       | 37:23,24 38:4        |                 | 45:14 52:25           |
| <b>born</b>        | 81:8 88:12           | 43:2 45:7,12    | 38:9,12,17           |                 | 53:4,11,17            |
| 21:21              | 107:4 108:24         | 46:23,24        | 39:8 41:16           |                 | <b>comprehensible</b> |
| <b>bottom</b>      | 110:4                | 47:2,5,12       | 54:10,12,18          |                 | 12:23                 |
| 35:1,23 140:22     | <b>brothers</b>      | 48:4 52:19      | 54:19 55:25          |                 | <b>computer</b>       |
| 152:8              | 146:13 147:8         | 53:2,3,16       | 56:1,4,11,16         |                 | 160:21                |
| <b>bowman</b>      | 148:22               | 54:10,12,18     | 56:21,22,25          |                 | <b>concept</b>        |
| 2:6 5:9,16         | <b>brought</b>       | 55:2,3,16       | 57:5,6,8,13          |                 | 114:9                 |
| 10:8,9 11:2        | 69:5 70:11,14        | 57:13,15,16     | 58:2,4,6,15          |                 | <b>concern</b>        |
| 11:10 16:12        | 71:7,19              | 58:2,4,6,15     | 60:21 61:12          |                 | 163:2,18              |
| 24:19 26:1         | 73:14 104:5          | 59:13,14,15,16  | 61:13 62:14          |                 | <b>concerned</b>      |
| 33:2 42:14         | 132:17,20            | 59:14,15,16     | 62:14 63:1           |                 | 157:20 163:5,8        |
| 42:18 43:6         | 152:16               | 60:21 61:12     | 63:14 64:1           |                 | <b>conclude</b>       |
| 45:15 49:16        | 153:19               | 62:14 63:1      | 64:15 65:1           |                 | 62:16 71:14           |
| 52:10 53:12        | 183:24               | 63:14 64:1      | 65:16 66:1           |                 | 110:16                |
| 57:19,22,25        | <b>brown</b>         | 64:14 65:1      | 67:16                |                 | <b>concluded</b>      |
| 59:4 83:2          | 55:11 56:5,8         | 65:14 66:1      | 68:1 69:1            |                 | 184:24                |
| 87:7,13,20         | <b>brownish</b>      | 66:14 67:1      | 70:1 71:1            |                 | <b>concludes</b>      |
| 87:23 94:25        | 55:11                | 67:14 68:1      | 72:1 73:1            |                 | 183:16 184:19         |
| 110:13             | <b>bubble</b>        | 68:14 69:1      | 74:1 75:1            |                 | <b>conduct</b>        |
| 112:11 113:8       | 33:23 184:4,10       | 69:14 70:1      | 76:1 77:1            |                 | 84:5                  |

|                      |                    |                  |                    |                    |                   |
|----------------------|--------------------|------------------|--------------------|--------------------|-------------------|
| <b>confident</b>     | 14:18 17:10        | 56:20 119:7      | 161:12             | 44:18 48:14        | 157:12,15,21      |
| 19:4                 | 19:5 22:25         | 137:6 149:3      | 163:25             | 52:5 59:13         | 158:8,9,10        |
| <b>confirm</b>       | 23:13 24:9         | 154:17           | 181:21             | 86:22 93:3         | 159:9 166:2       |
| 34:3                 | 25:4,6,17          | 156:20 159:6     | <hr/>              | 110:24 122:3       | 171:2 172:20      |
| <b>confused</b>      | 28:15,18           | 165:16 168:8     | <b>D</b>           | 140:15             | 173:1,3,6,12      |
| 122:20               | 29:18 34:7         | 173:19           | <b>dad</b>         | 151:13             | 177:5 181:13      |
| <b>confusing</b>     | 35:14,25           | 175:19           | <b>dads</b>        | 168:23             | 181:24 182:6      |
| 34:13                | 36:1,21            | <b>counsel</b>   | 174:18             | 182:15,19          | <b>die</b>        |
| <b>connected</b>     | 38:21 39:15        | 10:6 14:8        | 183:12,20          | 25:24 132:11       | <b>died</b>       |
| 63:1 87:25           | 39:18 42:10        | 35:20 48:18      | 184:23             | 21:22 132:19       | <b>difference</b> |
| <b>connection</b>    | 42:23 45:5         | 185:1,10         | 185:20 188:1       | 65:23 91:15,24     | 65:23             |
| 78:13 123:2,7        | 46:6 51:13         | 187:2            | 188:3 189:1        | <b>different</b>   |                   |
| <b>connelly</b>      | 51:15 53:20        | <b>counsels</b>  | 189:3 190:1        | 82:2,3 85:3        |                   |
| 3:19                 | 57:18 58:7         | 42:25            | <b>describe</b>    | 86:5,6 87:21       | 86:5,6            |
| <b>consider</b>      | 59:24 63:11        | <b>county</b>    | 39:22 50:5         | 164:9 165:1        | 164:9             |
| 32:3 149:5           | 63:23 65:18        | 162:13 186:4     | 56:1 66:15         | <b>differently</b> |                   |
| <b>considered</b>    | 69:18 71:22        | 188:10           | 69:4 74:13         | 154:11,18          | <b>difficult</b>  |
| 32:4 134:22,23       | 74:24 76:23        | 189:15           | 90:17 95:5         | 118:13 138:13      | <b>difficulty</b> |
| <b>consult</b>       | 77:4 81:11         | <b>couple</b>    | <b>described</b>   | 44:6               | 44:6              |
| 13:11                | 89:9 93:11         | 23:18 88:8       | 39:16 136:5        | <b>dinardo</b>     |                   |
| <b>contact</b>       | 99:9 101:15        | 105:7 132:15     | 158:2,15           | 1:22 186:6         |                   |
| 60:7 75:9,10         | 101:22             | 153:13 159:5     | 171:22             | 187:14             |                   |
| 150:2 161:1          | 112:17,18,20       | 172:22           | <b>description</b> | <b>direct</b>      |                   |
| 161:16               | 112:20 116:5       | 174:10           | 6:2 69:6 89:2      | 16:10,11,12        |                   |
| <b>context</b>       | 116:6 117:22       | <b>course</b>    | 148:1              | 122:19             |                   |
| 114:13               | 123:3,4,24         | 56:12 104:25     | <b>descriptive</b> | <b>direction</b>   |                   |
| <b>continue</b>      | 124:2,14           | 136:13 177:8     | 148:18             | 32:8 39:1          |                   |
| 165:17               | 125:6,23           | 183:21           | <b>designate</b>   | 55:18 60:21        |                   |
| <b>continued</b>     | 126:6,12,15        | <b>court</b>     | 17:19 184:5        | 61:13 65:19        |                   |
| 122:5                | 127:25             | 1:1 10:19        | <b>designated</b>  | 66:6 68:20         |                   |
| <b>continuing</b>    | 128:19             | 11:17,18,22      | 184:14             | 143:10,18          |                   |
| 112:5 113:9          | 129:11,12,14       | 16:2 101:17      | <b>designation</b> | <b>directions</b>  |                   |
| <b>convers</b>       | 130:17             | 101:19 102:3     | 32:8 39:1          | 35:21              |                   |
| 148:8                | 131:10 132:9       | 103:6 104:16     | <b>directly</b>    | <b>directly</b>    |                   |
| <b>conversation</b>  | 132:10 133:9       | 113:10,12,24     | 89:7 109:6         | 89:7               |                   |
| 67:22 75:7,17        | 133:12,18,24       | 125:5 155:21     | 129:3,11           | 129:3,11           |                   |
| 79:16 84:10          | 135:24             | 162:9,15         | 130:8,11           | <b>discovery</b>   |                   |
| 86:19 97:17          | 137:14             | 168:18 182:4     | 159:10,24          | 1:19 190:1         |                   |
| 97:20 98:6           | 143:24 145:2       | 188:7            | 161:1              | <b>discussion</b>  |                   |
| 98:20,22             | 146:14,17          | <b>courtroom</b> | 40:3,4,8           | 35:16              |                   |
| 99:2 103:12          | 156:8,12           | 102:24,25        | 106:15             | <b>discussions</b> |                   |
| 116:25 117:4         | 157:14             | 103:1 156:7      | 139:14             | 60:4               |                   |
| 117:5 135:18         | 158:14             | <b>courts</b>    | 146:21             | <b>dispute</b>     |                   |
| 153:17               | 160:13,14,18       | 162:14           | 166:22,22          | 175:16             |                   |
| 155:13               | 160:24             | <b>crime</b>     | <b>detective</b>   | <b>disputing</b>   |                   |
| 178:16 179:9         | 162:23             | 40:25 132:17     | 75:25 76:1         | 175:17,18          |                   |
| 181:5                | 164:10,13          | <b>criminal</b>  | 77:8,8,9,12        | <b>disrespect</b>  |                   |
| <b>conversations</b> | 169:16,17,20       | 137:21,23        | 77:18 81:2,4       | 76:9               |                   |
| 84:13                | 169:23 170:1       | 140:2 162:21     | 81:6,7,14,17       | <b>distance</b>    |                   |
| <b>conveyed</b>      | 170:5,9,10         | 173:16,24        | 83:18,19           | 138:25 142:25      |                   |
| 79:18                | 170:13,14,17       | 182:3            | 95:8,8,11,25       | 143:1 164:7        |                   |
| <b>conviction</b>    | 170:20,21          | <b>cross</b>     | 99:19,24           | <b>district</b>    |                   |
| 16:15 123:7          | 171:1,6,11         | 16:11,13 32:16   | 117:2,7,17         | 1:1,2              |                   |
| 124:13 162:4         | 171:21,23          | 49:13            | 136:5              | 22:12              |                   |
| 163:1                | 172:1,5,8,16       | <b>cry</b>       | <b>detectives</b>  | <b>division</b>    |                   |
| <b>cook</b>          | 172:18,21,24       | 21:22            | 81:18 100:2        | 1:3                |                   |
| 162:13               | 174:1,6,7          | <b>crying</b>    | <b>deuces</b>      | <b>document</b>    |                   |
| <b>cooperation</b>   | 175:4,5            | 142:17           | 128:13             | 44:12              |                   |
| 44:7 119:9,15        | 176:1,2,4,5        | <b>cure</b>      | 3:11               | <b>documents</b>   |                   |
| 183:14               | 177:25 178:3       | 87:15            | <b>diagonally</b>  | 14:20 127:6        |                   |
| <b>cop</b>           | 178:9,10,17        | <b>current</b>   | 143:23             | <b>doesnt</b>      |                   |
| 106:9                | 179:3,7,11         | 25:10            | 91:9               | 167:25 175:13      |                   |
| <b>copies</b>        | 179:12,15          | <b>currently</b> | <b>didnt</b>       | <b>doing</b>       |                   |
| 40:18 126:17         | 180:5,22           | 19:10            | 21:24 22:16        | 12:15 31:25        |                   |
| 127:2                | 181:7,20,25        | <b>curse</b>     | 25:24 27:9         | 43:15 68:2         |                   |
| <b>cops</b>          | 182:13,14          | 138:3,4          | 30:8 46:18         | 73:7 90:23         |                   |
| 60:14 67:11          | 184:15             | <b>custody</b>   | 46:19 50:9         | 92:10,10           |                   |
| 68:1,13 72:1         | 186:17             | 5:15             | 50:10 68:11        | 97:23 104:9        |                   |
| 112:25               | <b>corrections</b> | <b>cut</b>       | 69:12 73:13        | 138:15             |                   |
| 114:23               | 125:25 126:3       | 140:22           | 78:19,19           | 165:24             |                   |
| 152:16               | 126:10             | <b>cuyahoga</b>  | 83:2 87:10         | <b>don</b>         |                   |
| 153:19 158:9         | 189:17             | 186:4            | 87:15 93:25        | 129:4              |                   |
| <b>copy</b>          | <b>correctly</b>   | 1:9              | 95:11 96:18        | <b>dont</b>        |                   |
| 125:7 137:18         | 126:2              | <b>cynthia</b>   | 97:3,23,24         |                    |                   |
| 185:13               | <b>cortland</b>    | 102:14 103:15    | 98:3 105:3         |                    |                   |
| <b>corner</b>        | 26:22 28:6,16      | 104:22           | 106:23             |                    |                   |
| 46:13,20 49:12       | 32:7,8,15,17       | 123:22 127:3     | 113:13 114:5       |                    |                   |
| 49:14 52:17          | 33:19,20,23        | 127:4,12         | 114:9 139:8        |                    |                   |
| 54:5 89:16           | 34:3,5,8,20        | 137:8 144:1      | 145:11,19          |                    |                   |
| 105:11,18,19         | 36:5,9 38:13       | 148:2 150:6      | 146:20,20          |                    |                   |
| 105:19 107:5         | 38:13 45:4         | 151:5 153:18     | 147:4,6,11         |                    |                   |
| 107:8 134:17         | 105:11             | 154:1 155:14     | 147:24             |                    |                   |
| 143:9,17             | 129:22 131:1       | 159:2,23         | 16:6 19:11         |                    |                   |
| <b>correct</b>       | 142:20 170:7       | 160:7 161:7      | 33:13 41:2         |                    |                   |
| 11:8 14:4,13         | 184:2,6            |                  | 149:20 156:3       |                    |                   |
|                      | <b>couldnt</b>     |                  | 156:24             |                    |                   |
|                      | 49:25 50:8         |                  |                    |                    |                   |

|                |                   |                    |                   |                  |                  |
|----------------|-------------------|--------------------|-------------------|------------------|------------------|
| 11:20 12:24    | <b>driver</b>     | <b>employs</b>     | 189:10            | 142:3            | 166:3,6,25       |
| 19:23 20:13    | 39:10 147:24      | 25:3               | <b>execution</b>  | fairly           | 167:4 168:6      |
| 25:12 26:10    | 148:3             | 32:16              | 188:14 189:19     | 138:8            | 169:15 171:3     |
| 28:3 30:19     | <b>drivers</b>    | <b>encountered</b> | <b>exhibit</b>    | <b>fall</b>      | 172:15 182:6     |
| 40:17 41:24    | 39:12 42:16,20    | 179:10             | 5:15 6:3,4,5,6    | <b>felixs</b>    | <b>felixs</b>    |
| 42:24 44:3     | <b>drives</b>     | <b>encourage</b>   | 6:7,8,9,10        | 22:24 25:19      | 22:24 25:19      |
| 51:8 53:1      | 47:2              | 164:17             | 6:11,12 15:2      | 26:15 29:21      | 26:15 29:21      |
| 56:8 57:19     | <b>driving</b>    | <b>endeavor</b>    | 15:5,13,19        | 38:4,9 41:16     | 38:4,9 41:16     |
| 64:11,12,12    | 48:5 56:12,14     | 15:24 16:4,6       | 15:24 16:4,6      | 45:7 47:12       | 45:7 47:12       |
| 64:13,14,16    | 56:16 135:22      | 16:14 17:2         | 16:14 17:2        | 47:17 52:19      | 47:17 52:19      |
| 64:19,20       | <b>drove</b>      | 33:13,18           | 33:13,18          | 53:3 60:8        | 53:3 60:8        |
| 67:7,17 70:3   | 13:25 79:21,23    | 88:8               | 35:21 40:16       | 75:22 81:10      | 75:22 81:10      |
| 70:23 71:12    | <b>duces</b>      | <b>ensure</b>      | 40:17 41:2,8      | 106:4 131:15     | 106:4 131:15     |
| 72:21,22,22    | 127:6             | 79:6               | 44:10,18          | 132:13           | 132:13           |
| 72:24,25       | <b>due</b>        | <b>ensuring</b>    | 45:11 48:10       | 30:1 31:7,13     | 135:23           |
| 75:4,13,14     | 21:20             | 78:16 80:3         | 48:14,18          | 31:23 32:4       | 136:23 137:4     |
| 76:1,9,13      | <b>duly</b>       | <b>entered</b>     | 49:10 52:3,5      | 32:14 68:23      | 145:21 146:7     |
| 77:14 79:9     | 10:23 186:7,10    | 189:9              | 52:12 57:17       | 81:1 92:13       | 156:14           |
| 80:10,16       | <b>dye</b>        | <b>entire</b>      | 111:22 125:9      | 148:20 149:6     | <b>fellow</b>    |
| 81:14,16       | 63:9              | 137:19             | 149:7,8,23        | 93:5             | <b>felt</b>      |
| 83:18 84:9,9   | <b>dyed</b>       | 140:15,20          | 163:9,18          | 22:8,18 29:15    | 22:8,18 29:15    |
| 84:12,14,17    | 63:6,7            | 151:13,17          | 164:19            | 54:16,20         | 54:16,20         |
| 85:17 87:21    | <b>E</b>          | 174:15,16,18       | 14:14 56:7        | 73:8 128:10      | 73:8 128:10      |
| 90:22 91:11    | <b>earlier</b>    | 16:14              | 75:25 83:17       | <b>female</b>    | <b>female</b>    |
| 91:17 92:2,7   | 51:20 77:25       | <b>entitled</b>    | 89:10 102:11      | 158:6,8,13,15    | 158:6,8,13,15    |
| 92:9,15        | 122:8,14,20       | 12:19              | 106:9 119:1       | <b>fence</b>     | <b>fence</b>     |
| 93:22 94:13    | 136:6,21          | <b>entranceway</b> | 119:3 123:8       | 22:15            | 22:15            |
| 94:16,18       | 137:7 142:4       | 48:25              | 138:6,24          | <b>field</b>     | <b>field</b>     |
| 95:17 96:4     | 143:5 145:1       | <b>erieview</b>    | 12:21             | 103:18           | 103:18           |
| 97:2,4 99:24   | 147:23            | 1:20               | <b>expiration</b> | <b>filed</b>     | <b>filed</b>     |
| 102:8,12,18    | 157:10 158:2      | <b>erosen</b>      | 188:19 189:25     | 122:10           | 122:10           |
| 102:19 103:2   | 158:23            | 3:25               | 190:25            | <b>finally</b>   | <b>finally</b>   |
| 103:4 104:6    | 169:10            | <b>errata</b>      | 187:17            | 54:7 61:3        | 54:7 61:3        |
| 105:1 111:9    | 171:22            | 189:7,10,18        | <b>expires</b>    | <b>find</b>      | <b>find</b>      |
| 111:15,18,19   | <b>early</b>      | 190:1              | 187:17            | 103:12 104:14    | 103:12 104:14    |
| 113:6 114:13   | 122:23            | <b>erratically</b> | <b>explain</b>    | 118:16,18        | 118:16,18        |
| 116:15 117:5   | 53:8              | 48:5               | 92:5              | 127:7            | 127:7            |
| 119:1,6        | <b>easiest</b>    | <b>errors</b>      | <b>expressing</b> | <b>finding</b>   | <b>finding</b>   |
| 124:6 136:9    | 49:9              | 17:3               | 163:2             | 118:13           | 118:13           |
| 136:9,10,18    | <b>east</b>       | <b>esq</b>         | 40:18             | <b>fine</b>      | <b>fine</b>      |
| 136:19 139:3   | 1:20 2:7 32:10    | 2:6,15 3:10,20     | 44:6              | 66:13 79:12      | 66:13 79:12      |
| 139:5,18,19    | 32:11,13,15       | 4:4                | <b>eye</b>        | 80:4 95:14       | 80:4 95:14       |
| 141:4,8,9,17   | 32:19 34:4        | <b>establish</b>   | 54:9              | 96:7 97:5,14     | 96:7 97:5,14     |
| 141:23 142:1   | 35:4,8,9,23       | 159:16             | <b>fat</b>        | 101:8 120:3      | 101:8 120:3      |
| 142:2,23       | 36:5,25 39:2      | <b>estes</b>       | 148:3,3           | 137:16           | 137:16           |
| 143:2 148:4    | 55:20 57:8        | 123:22 151:5       | <b>father</b>     | 165:11 181:3     | 165:11 181:3     |
| 148:13,17,19   | 61:14 68:15       | 152:15             | 29:3,5,6 81:8     | <b>finger</b>    | <b>finger</b>    |
| 148:19 149:4   | 106:2 142:18      | 181:21             | 81:10,19,20       | 43:2 53:7 91:6   | 43:2 53:7 91:6   |
| 150:5,17,19    | 143:19            | <b>estimate</b>    | 119:4 136:23      | 91:7,8           | 91:7,8           |
| 151:19 152:1   | 184:10            | 57:12 70:1         | 137:4 156:18      | <b>finish</b>    | <b>finish</b>    |
| 153:4,9        | <b>eastern</b>    | 72:15 88:20        | <b>fathers</b>    | 12:7 13:17       | 12:7 13:17       |
| 154:18,22      | 1:3               | 89:10 136:7        | 85:14 86:14       | 83:2 84:21       | 83:2 84:21       |
| 155:11,25      | <b>easy</b>       | <b>estimation</b>  | 117:25            | 119:13 153:5     | 119:13 153:5     |
| 157:7,7,16     | 44:12 118:17      | 21:4               | 118:10,14,17      | <b>featherss</b> | <b>featherss</b> |
| 158:12 159:6   | <b>edu</b>        | <b>et</b>          | <b>feature</b>    | 96:7 97:5,14     | 96:7 97:5,14     |
| 163:10         | 2:10              | 1:11 188:3         | 118:3             | 101:8 120:3      | 101:8 120:3      |
| 166:10 167:2   | <b>edward</b>     | 189:3              | <b>feature</b>    | 137:16           | 137:16           |
| 167:19,20      | 3:5               | <b>evening</b>     | 76:2              | <b>features</b>  | <b>features</b>  |
| 168:10,24      | <b>eileen</b>     | 169:18             | <b>facial</b>     | 118:4,7          | 118:4,7          |
| 174:2,4,25     | 3:20 10:13        | <b>event</b>       | 76:20             | <b>february</b>  | <b>february</b>  |
| 175:15 177:9   | 122:9             | 70:17 187:3        | <b>facilities</b> | 181:22           | 181:22           |
| 182:24         | <b>either</b>     | <b>events</b>      | 13:12             | <b>feed</b>      | <b>feed</b>      |
| <b>door</b>    | 56:4 70:18        | 46:22 47:9         | <b>facing</b>     | 24:12            | 24:12            |
| 38:20 48:22,24 | 92:4 93:20        | 51:24,25           | 38:6,9,13         | <b>feeling</b>   | <b>feeling</b>   |
| 89:13 124:1    | 95:16 97:3        | 54:15,20,21        | 10:6              | 54:7 153:7       | 54:7 153:7       |
| 134:1 137:9    | 114:14            | 54:23 55:5,7       | 189:17            | 180:12           | 180:12           |
| 143:7 164:1    | 136:19            | 55:7,8,15          | 50:6              | <b>firm</b>      | <b>firm</b>      |
| <b>double</b>  | 150:18            | 58:10,13,17        | <b>feel</b>       | 3:9 24:16 25:3   | 3:9 24:16 25:3   |
| 57:1,6         | 155:10 187:2      | 90:11,12           | 86:9              | 104:3            | 104:3            |
| <b>doubt</b>   | <b>elementary</b> | 110:3              | 89:17             | <b>first</b>     | <b>first</b>     |
| 18:20,25 84:24 | 27:22 29:9        | <b>event</b>       | 38:6,7,11         | 10:23 11:3,22    | 10:23 11:3,22    |
| 178:11         | <b>email</b>      | 70:17 187:3        | 39:19,24          | 21:21 28:25      | 21:21 28:25      |
| <b>drafts</b>  | 126:7,8 137:25    | <b>events</b>      | 42:3 56:25        | 32:15 35:9       | 32:15 35:9       |
| 126:25 127:10  | 43:14 65:18       | 46:8 48:12         | 57:6,7,8          | 36:6,15          | 36:6,15          |
| <b>draw</b>    | 162:24            | 52:13 174:12       | 99:22             | 37:21 41:25      | 37:21 41:25      |
| 33:4           | <b>emotions</b>   | <b>eventually</b>  | <b>fact</b>       | 46:8 47:11       | 46:8 47:11       |
| <b>dressed</b> | 50:5,11 101:5     | 12:12              | 45:3 62:2,8,13    | 49:20 50:24      | 49:20 50:24      |
| 13:24 45:20    | 138:11            | <b>everybody</b>   | 90:7 103:6        | 50:25 51:23      | 50:25 51:23      |
| 46:8 58:22     | <b>employed</b>   | 12:12 85:10        | 106:13 163:3      | 53:8 54:14       | 53:8 54:14       |
| 95:10          | 24:25             | 101:7 115:16       | 163:3 170:11      | 58:18 59:22      | 58:18 59:22      |
| <b>drive</b>   | 22:1              | 129:5 136:13       | 170:18,22         | 60:6,7 63:15     | 60:6,7 63:15     |
| 106:1 108:18   | 138:11            | <b>evidentiary</b> | 175:18            | 64:2 77:12       | 64:2 77:12       |
| 109:13         | <b>employment</b> | 153:1              | 181:21 184:7      | 77:17 78:1,3     | 77:17 78:1,3     |
| 170:23         | 23:19             | <b>exactly</b>     | 26:11 38:3,9      | 78:5,8,13        | 78:5,8,13        |
| <b>driven</b>  |                   | 26:11 38:3,9       | 43:14 65:18       | 79:22 80:8       | 79:22 80:8       |
| 83:14          |                   | 43:14 65:18        | 85:23 88:12       | 80:12,20         | 80:12,20         |

|                  |                  |                   |                     |               |               |
|------------------|------------------|-------------------|---------------------|---------------|---------------|
| 113:24 114:3     | 117:10,19        | 173:11            | 115:3,5             | 86:13 87:14   | 56:12,14 67:4 |
| 116:20           | 118:20,21        | 176:13 177:5      | 117:10              | 90:23 92:3,6  | 88:21 89:20   |
| 122:12 123:5     | 125:17           | 177:11,23         | 118:15,19,21        | 92:16 93:15   | 93:7,12,19    |
| 123:8,12,25      | 143:11           | 182:20            | 119:18 127:3        | 93:18,23      | 93:21,21,24   |
| 134:6,8,23       | 150:12 153:1     | <b>gangs</b>      | 137:17              | 94:1,5 95:22  | 94:18,22      |
| 135:10           | 153:8 154:3      | 17:21 21:13,19    | 168:12,14           | 96:6 97:5,13  | 95:3 96:14    |
| 136:23 138:1     | 159:3 173:14     | 22:16 66:21       | 169:2,4             | 97:14 100:16  | 96:14,14,17   |
| 138:2 141:21     | 182:2            | 92:11,19          | 172:9,12            | 101:8,11      | 96:19,19,22   |
| 141:24 143:6     | <b>formal</b>    | 128:7 145:25      | 174:22              | 107:2 109:8   | 96:22,25      |
| 143:25 144:2     | 11:20            | 157:18            | 175:23              | 110:13,15     | 97:1 98:7,7   |
| 145:20,23        | <b>forth</b>     | 181:14            | 176:25 177:1        | 111:20,24     | 101:7,14      |
| 146:5 150:6      | 96:10            | <b>gangster</b>   | 179:19,24           | 112:4,6       | 104:21 111:1  |
| 153:14 158:1     | <b>found</b>     | 17:15,16,18       | 180:2 182:24        | 116:3,8,17    | 116:1,23,23   |
| 159:24 160:7     | 103:11 155:16    | 91:25 96:23       | 183:24              | 117:20,20     | 117:9,17,17   |
| 161:2,12         | 155:2,7 159:19   | 144:5 148:8       | 184:18              | 122:12,16,18  | 148:3,7       |
| 162:20 163:9     | 182:2            | <b>gangsters</b>  | 185:13              | 122:21        | 152:17,21     |
| 163:12           | <b>four</b>      | 17:25 88:14       | 186:13,18           | 131:16        | 153:20,25     |
| 167:21 179:9     | 91:1,3,14,22     | 91:1,3,14,22      | <b>gizzy</b>        | 132:23 133:8  | 171:3 172:4   |
| 186:10           | 129:15,20        | 129:15,20         | 144:4 146:7,13      | 136:15        | 179:2         |
| <b>fit</b>       | 129:22 20:4      | 130:6 170:8       | 147:2               | <b>guys</b>   |               |
| 129:16 164:6     | 28:11,14         | 176:10            | <b>glad</b>         | 82:1,5 95:13  |               |
| <b>five</b>      | 119:6 131:2      | <b>gather</b>     | 140:11,19,24        |               |               |
| 159:6            | <b>framework</b> | 25:12,14          | 142:23 143:3        | 115:10,11,21  |               |
| <b>fix</b>       | 129:16           | <b>gawrys</b>     | 151:17 152:3        | 119:21 120:2  |               |
| 144:14           | <b>frank</b>     | 3:4               | 46:24               | 163:14,15,16  |               |
| <b>flip</b>      | 103:19,20        | <b>ged</b>        | 163:17,22           | 123:10        |               |
| 69:18 151:18     | <b>free</b>      | 23:21,22          | 179:5 183:19        | 139:14        |               |
| <b>floor</b>     | 188:14 189:20    | <b>gentleman</b>  | 184:12              | 148:10 154:6  |               |
| 28:24,25         | <b>freshman</b>  | 37:24 46:11,21    | <b>goldbrownish</b> | 154:6,7,11    |               |
| 105:23 134:6     | 144:22 145:24    | 47:5 51:2         | 40:2                | 164:18        |               |
| 134:8,23         | <b>friend</b>    | 54:4,5 80:17      | <b>good</b>         | 166:21        |               |
| 135:10           | 32:3             | 88:11 95:4,5      | 35:19 39:11         | 167:19        |               |
| <b>focused</b>   | <b>friendly</b>  | 95:7,23           | 58:11,14            | <b>guzman</b> |               |
| 139:2            | 129:13           | 96:12 98:18       | 79:14,19            | 3:8           |               |
| <b>focusing</b>  | <b>fro</b>       | 100:14            | 92:18 119:17        | <b>H</b>      |               |
| 166:24           | 76:3,5,14,15     | 106:22 117:2      | 122:7 183:22        |               |               |
| <b>folks</b>     | 76:16,19         | <b>geography</b>  | <b>google</b>       |               |               |
| 92:3,5           | 77:6 95:25       | 37:24 46:11,21    | 6:5 33:7,10,14      |               |               |
| <b>follow</b>    | 99:19 117:2      | 47:5 51:2         | 50:23 51:1          |               |               |
| 116:22 127:8     | 117:7,18         | <b>george</b>     | 53:1 60:21          |               |               |
| 129:5            | 136:6            | 167:24            | 67:6 68:15          |               |               |
| <b>following</b> | <b>front</b>     | <b>getaway</b>    | 68:16,18,21         |               |               |
| 18:17 176:6,7    | 4:5 38:20        | 57:13 147:24      | 85:4 88:9           |               |               |
| <b>follows</b>   | 48:19 111:21     | <b>getting</b>    | 97:22 98:2          |               |               |
| 10:25            | 125:10 141:1     | 58:4 85:21        | 100:12,12           |               |               |
| <b>followup</b>  | 175:1            | 108:25            | 101:17 112:1        |               |               |
| 122:13           | <b>full</b>      | 115:14            | 112:2 115:12        |               |               |
| fool             | 69:10 95:12      | 123:19            | 124:3,9             |               |               |
| 92:8 147:7       | 129:8            | 159:13            | 135:7 142:15        |               |               |
| <b>foolish</b>   | <b>fullerton</b> | <b>gillian</b>    | 142:18              |               |               |
| 170:22           | 129:23,25        | 3:7               | 143:14              |               |               |
| <b>force</b>     | 129:23,25        | <b>girlfriend</b> | 144:13              |               |               |
| 93:25 97:3       | 25:5             | 31:4              | 146:25              |               |               |
| 104:23 173:3     | <b>functions</b> | 158:6             | 147:13              |               |               |
| 181:24           | 164:19           | give              | 149:17 152:6        |               |               |
| 182:19           | <b>funston</b>   | 35:17 69:6        | 152:13              |               |               |
| <b>forced</b>    | 88:24 145:1      | 72:17,18          | 158:24              |               |               |
| 21:16,17,17      | 159:24 168:25    | 89:1 96:8         | 159:15              |               |               |
| 181:17           | 183:15           | 109:25 118:3      | 165:20 167:7        |               |               |
| 182:12           | 186:19 187:1     | 125:21            | 170:19              |               |               |
| <b>foregoing</b> | <b>fusco</b>     | 131:13 152:2      | 183:23              |               |               |
| 186:16,21        | 3:19             | 167:19 168:5      | <b>goal</b>         |               |               |
| 188:13           |                  | 176:7,15          | 128:3               |               |               |
| 189:18           |                  | 182:23 185:1      | <b>god</b>          |               |               |
| <b>foremost</b>  |                  | 185:10            | 103:10 104:13       |               |               |
| 83:9 163:10,12   | <b>G</b>         | <b>given</b>      | 107:1 108:5         |               |               |
| <b>forever</b>   | <b>game</b>      | 14:15 47:2,3      | <b>goes</b>         |               |               |
| 20:11,12         | 163:17           | 56:7 157:19       | 14:15 47:2,3        |               |               |
| <b>forgive</b>   | <b>gang</b>      | 3:10 5:11         | 35:4 50:12          |               |               |
| 100:17           | 11:15 14:21      | 10:15,15          | 89:19 98:25         |               |               |
| <b>form</b>      | 15:15 30:12      | 11:15 14:21       | 126:9,17,20         |               |               |
| 15:15 25:23      | 22:17,21         | 31:10,21          | 154:7 171:19        |               |               |
| 31:10,21         | 25:15 61:21      | 32:22 34:7        | 174:14              |               |               |
| 42:13,15         | 62:24 63:1       | 66:1 71:3         | <b>guessing</b>     |               |               |
| 66:1 79:2        | 66:21,22,23      | 79:2 82:20        | 92:3                |               |               |
| 82:20 83:8       | 77:13 88:13      | 82:23 83:1,4      | <b>guevara</b>      |               |               |
| 84:8 85:2,3      | 89:6 90:15       | 83:8 84:8,20      | 1:1 3:4 10:5        |               |               |
| 86:18 87:3,5     | 90:18 91:12      | 85:2 86:17        | 188:3 189:3         |               |               |
| 87:8,9,14,18     | 91:16,24         | 87:3,5,9,16       | 36:5,9 37:17        |               |               |
| 90:14 94:24      | 92:11,14         | 90:14 92:18       | 37:22 38:1          |               |               |
| 100:11,22        | 93:6,8           | 94:24 96:2        | 40:15,16,19         |               |               |
| 106:21           | 128:11,16        | 100:23            | 44:8,15 48:7        |               |               |
| 111:14,25        | 129:2,3          | 102:19            | 50:8 51:1           |               |               |
| 112:2,14         | 130:10           | 106:21            | 52:21 65:2          |               |               |
| 115:3,5          | 132:22           | 108:20            | 59:16,17            |               |               |
| 116:10,16        | 156:17           | 109:17            | 60:1 108:3          |               |               |
|                  | 170:23 171:9     | 111:24 113:6      | <b>gun</b>          |               |               |
|                  |                  |                   | 43:22,23 51:3       |               |               |
|                  |                  |                   | 54:17 59:15         |               |               |
|                  |                  |                   | 59:16,17            |               |               |
|                  |                  |                   | 60:1 108:3          |               |               |
|                  |                  |                   | <b>guns</b>         |               |               |
|                  |                  |                   | 108:4               |               |               |
|                  |                  |                   | <b>guy</b>          |               |               |
|                  |                  |                   | 78:9                |               |               |

|                    |                    |                       |                    |                |
|--------------------|--------------------|-----------------------|--------------------|----------------|
| <b>happy</b>       | 144:12,23,24       | <b>husbands</b>       | 93:16 96:21        | <b>ive</b>     |
| 87:12              | <b>highrise</b>    | 163:11                | 99:21 100:16       | 12:25 13:7,17  |
| <b>hard</b>        | 23:25 24:11        | <b>hypothetical</b>   | 101:1,2,3          | 13:18 20:15    |
| 48:8 138:14        | <b>hired</b>       | 118:22                | 103:16,16,18       | 33:2,7,17      |
| 139:14             | 123:16             | <b>hysterical</b>     | 103:19             | 52:2 61:11     |
| <b>harrisburg</b>  | <b>hispanic</b>    | 48:3 68:18            | 86:3,6 154:8       |                |
| 20:20,21,25        | <b>history</b>     | <b>I</b>              | 10:16 18:5,10      | 162:24         |
| 24:5               | 23:19 91:12        | <b>id</b>             | 56:21 58:21        | <b>izzy</b>    |
| <b>harry</b>       | <b>hit</b>         | 15:2 23:18            | 66:25 68:10        | 144:4 146:7,13 |
| 148:23,24          | 130:3              | 32:22 45:10           | 68:12 73:4         | 146:23 147:2   |
| 149:11             | <b>hold</b>        | 53:7 59:4             | 90:1,2 91:5        |                |
| <b>hasnt</b>       | 41:22 42:25        | 94:20 95:1            | 104:3 108:9        |                |
| 180:12             | 45:11 49:9         | 132:15                | 115:23 116:2       |                |
| <b>hate</b>        | 53:6 86:17         | 136:17                | 147:5 166:22       |                |
| 55:10 92:11,19     | 135:6              | <b>idea</b>           | 167:14             |                |
| 108:5              | <b>home</b>        | 135:15,16,16          | <b>individuals</b> |                |
| <b>haven</b>       | 16:22 28:8         | 12:12 92:18           | 17:22 91:6         |                |
| 22:9               | 34:2 37:9          | <b>identification</b> | 138:11             |                |
| <b>havent</b>      | 65:4,6 69:5        | 15:1,7 16:4,8         | 141:16 146:1       |                |
| 84:1 116:14        | 70:12,15           | 33:15,17,25           | 146:13             |                |
| 149:12 153:5       | 80:7 83:14         | 40:17 41:4            | 147:2              |                |
| 163:23             | 84:12 86:2         | 44:10,20              | 73:11,23           |                |
| <b>head</b>        | 93:8 94:10         | 48:10,16              | 74:15 80:19        |                |
| 12:1 62:1 99:3     | 123:25             | 52:3,7 84:25          | 52:23 53:10        |                |
| 108:7,23           | <b>honest</b>      | 52:11,16,18           | <b>ink</b>         |                |
| 139:25             | 136:10             | 111:22                | 184:12             |                |
| <b>heading</b>     | <b>honestly</b>    | 140:17,20             | 83:6 84:11         |                |
| 36:5,8             | 151:15             | 151:15                | 84:19,23           |                |
| <b>hear</b>        | 174:20             | 166:24                | 85:11 90:3,4       |                |
| 92:6 105:1         | <b>identified</b>  | 168:11                | 94:7 98:13         |                |
| 110:8,8            | 101:20 140:4       | 172:23                | 99:2,6 100:6       |                |
| 155:19,20          | 150:10,24          | 175:17,18,21          | 100:20             |                |
| <b>heard</b>       | 152:7              | 176:15 181:1          | 101:20             |                |
| 22:3 43:22,25      | <b>identify</b>    | 184:12                | 104:20             |                |
| 44:1 51:3          | 181:18             | <b>immediately</b>    | 109:23 110:7       |                |
| 98:19 134:3        | <b>identifying</b> | 89:21 90:9            | 110:9 114:3        |                |
| 142:7 155:15       | 40:21 182:16       | 91:2                  | <b>insurance</b>   |                |
| <b>hearing</b>     | <b>hotdog</b>      | <b>ill</b>            | 127:23             |                |
| 13:25 16:2,16      | 16:3 26:1 33:5     | 176:23                | 4:3                |                |
| 108:3 154:14       | 44:16 48:9         | <b>impeaching</b>     | 140:10             |                |
| <b>hearsay</b>     | 52:11 53:5         | 75:21 77:11           | 141:14             |                |
| 176:24             | 84:8,21            | <b>impeachment</b>    | 150:10 151:1       |                |
| <b>heartbeat</b>   | 87:12 94:25        | 176:22,23,25          | 172:17 173:1       |                |
| 110:5              | 100:18             | <b>imperial</b>       | 173:25 175:7       |                |
| <b>heavy</b>       | 101:11 105:8       | 17:16,18,25           | 177:23 178:8       |                |
| 136:16             | 109:11 110:4       | 88:14 91:1,3          | 182:5,16,20        |                |
| <b>height</b>      | 110:16             | 91:22 96:23           | 188:3 189:3        |                |
| 76:19              | 170:8 176:10       | 129:15,20             | <b>jail</b>        |                |
| <b>held</b>        | 179:21 183:2       | 170:8 176:10          | 162:13             |                |
| 10:5 35:16         | <b>illinois</b>    | <b>impossible</b>     | <b>jane</b>        |                |
| 107:12,19,20       | 1:2 2:8,18         | 109:21                | 125:1              |                |
| <b>hell</b>        | 3:13,23            | <b>imprinted</b>      | <b>january</b>     |                |
| 183:21             | 20:23,25           | 55:7                  | 187:17             |                |
| <b>help</b>        | 26:23 30:10        | <b>improper</b>       | <b>jeff</b>        |                |
| 42:25 68:2         | 175:7              | 86:21                 | 4:10 10:15         |                |
| 109:22             | <b>im</b>          | <b>inches</b>         | 43:7 45:15         |                |
| 113:18 143:9       | 10:17 12:12,22     | 69:22                 | 49:16 53:12        |                |
| 175:10,13          | 13:5 14:1,2        | <b>incident</b>       | 57:19 169:3        |                |
| <b>helps</b>       | 14:24 15:1         | 128:9                 | <b>jeffrey</b>     |                |
| 112:7              | 16:1,17 20:1       | <b>incomplete</b>     | 3:10               |                |
| <b>hereinafter</b> | 153:19 154:2       | 118:21                | <b>jen</b>         |                |
| 10:24              | 156:16 158:1       | 189:12                | 160:2              |                |
| <b>heres</b>       | 160:8 161:3        | <b>incorporated</b>   | <b>jennifer</b>    |                |
| 70:24              | 161:9,13           | 20:3 21:22            | 102:14 103:13      |                |
| <b>hereunto</b>    | 164:1 167:8        | 22:2 25:1,4           | 104:22             |                |
| 187:5              | 169:19             | 26:8 30:8,13          | 123:13,14,22       |                |
| <b>hes</b>         | 170:20 171:8       | 30:19 32:11           | 127:13             |                |
| 24:19 34:7         | <b>huh</b>         | 32:25 34:10           | 127:17,18          |                |
| 42:21 132:8        | 24:13              | 35:19 37:17           | <b>involved</b>    |                |
| 179:17             | <b>humboldt</b>    | 39:5,11               | 137:8 144:1        |                |
| <b>hey</b>         | 40:15,16,19        | 45:25 46:2,10         | 148:2 150:6        |                |
| 31:24 135:15       | 42:18 44:4,4       | 46:13 50:22           | 153:17 154:2       |                |
| 135:16             | 44:8,9,15          | 51:7                  | 155:14             |                |
| <b>hi</b>          | 48:7 50:16         | <b>independent</b>    | 159:22 160:6       |                |
| 163:24 169:3       | 52:21 56:6,6       | 122:16                | 161:7,13           |                |
| <b>hid</b>         | 57:2 61:2          | <b>index</b>          | 163:25             |                |
| 49:3 51:9,19       | 64:8,11,12         | 5:1,5 6:1 7:1         | 181:22             |                |
| 51:22 52:17        | 64:16,20           | 91:6,7                | <b>jesus</b>       |                |
| 105:18             | 65:2 66:21         | <b>indicate</b>       | 118:6,7,8          |                |
| <b>hiding</b>      | 68:23 71:6         | 41:19 43:1            | 163:9              |                |
| 52:24 53:10,23     | 76:14 77:7         | 53:7                  | <b>igiven</b>      |                |
| 54:1 107:5         | 79:5,11,14         | <b>indicated</b>      | 3:15               |                |
| 108:4 143:6        | 79:15,23           | 47:13 57:16           | <b>jo</b>          |                |
| 143:17 147:7       | <b>hurry</b>       | 69:20                 | 78:15              |                |
| <b>high</b>        | 81:23 84:20        | <b>indicating</b>     | <b>job</b>         |                |
| 23:20 144:8,11     | 85:9,13,21         | 24:18 32:18,19        | 25:5 79:4,14       |                |
|                    | 86:3,7,10,15       | 43:4 46:1             | 79:19 109:24       |                |
|                    | 86:16 89:15        | 49:12 51:5            | 115:11             |                |
|                    | 90:20,23           | 57:7,9 69:8           | <b>jobs</b>        |                |
|                    | 91:19 92:2,4       | 69:11 89:15           | 23:23              |                |
|                    | 92:5,7,10          | 89:17 90:25           | <b>john</b>        |                |

|                  |                 |                 |                |                  |                |
|------------------|-----------------|-----------------|----------------|------------------|----------------|
| 3:6,8            | 90:1 104:3      | 142:8,19,22     | 13:11 104:7    | 98:25 99:8       | 169:12         |
| <b>join</b>      | 118:25          | 142:23,24       | 124:20 125:4   | 99:10,16,20      | <b>look</b>    |
| 21:19 22:8       | 135:19          | 143:20 144:7    | 137:10,13      | 100:3,7          | 14:19 19:1     |
| <b>joined</b>    | 145:18          | 144:13          | 138:23         | 136:23           | 34:17 38:25    |
| 22:3,16,21       | 146:19,22       | 145:10,11,11    | 155:22 156:2   | 138:18 139:7     | 39:1 40:20     |
| 128:11           | 147:12          | 145:12,13,13    | 156:10         | 139:11 140:3     | 50:15 54:15    |
| 130:10           | 167:11,13,20    | 145:17,25       | 183:17         | 140:5 141:21     | 58:14 59:21    |
| <b>joining</b>   | 182:10          | 146:3,20,23     | <b>lawyers</b> | 152:18           | 65:2 70:8      |
| 21:19            | <b>knocked</b>  | 147:8,10        | 14:6,16 40:20  | 153:21           | 72:8,9 80:8    |
| <b>jose</b>      | 124:1 164:1     | 148:6,9,10      | 44:15 119:11   | 177:24 178:1     | 84:4 92:8      |
| 168:3            | <b>knocking</b> | 148:24,25       | 122:24 123:1   | 178:8,15         | 94:11 95:11    |
| <b>joseph</b>    | 137:9           | 149:4,8,19      | 123:6 124:19   | 181:6,11,18      | 98:23 125:22   |
| 3:4,5            | <b>know</b>     | 150:23 151:3    | 124:22 176:1   | <b>lineups</b>   | 140:24         |
| <b>jsotoslaw</b> | 11:9 13:13      | 154:19          | 14:6,16 40:20  | 80:1,8 150:15    | 151:20 152:3   |
| 3:15             | 17:22 19:23     | 155:22          | 2:10           | 178:3            | 158:9 166:25   |
| <b>judge</b>     | 21:15 22:9      | 156:21          | <b>leaf</b>    | <b>linzer</b>    | 174:24         |
| 11:21 156:11     | 22:12 26:7      | 157:18,19       | 69:16          | 181:22           | <b>looked</b>  |
| <b>jump</b>      | 27:9 30:20      | 158:9 159:6     | <b>leave</b>   | 14:23 39:23      | 14:23 39:23    |
| 12:13 122:16     | 31:14,16,24     | 159:13          | 21:12 35:17    | 35:22 189:7,17   | 40:8,13 51:7   |
| <b>june</b>      | 43:8 44:3       | 163:10,14,21    | <b>leaving</b> | <b>listen</b>    | 54:8,16,17     |
| 15:17 16:3       | 45:16 46:17     | 163:22          | 22:5           | 101:6,10         | 54:18,19,25    |
| 17:8 114:25      | 46:17 47:12     | 164:16,21       | <b>led</b>     | 152:22           | 55:15 58:13    |
| 125:8            | 47:16 48:5,6    | 165:15,21       | 68:13          | 153:25           | 58:21 69:5     |
| <b>jury</b>      | 50:9,20 51:1    | 166:6,10,11     | <b>left</b>    | 161:10           | 69:23 70:15    |
| 92:3             | 51:3,4,8        | 166:13,14,18    | 21:6,8 25:15   | 180:14,18,19     | 72:16 74:1,9   |
| <b>justice</b>   | 54:25 55:10     | 167:2,6,7,10    | 25:15 35:24    | <b>listing</b>   | 74:10 81:25    |
| 115:15 132:17    | 55:11,12        | 167:11,14,19    | 37:5 39:3,4    | 189:7            | 99:16,20       |
| 132:20           | 56:18 57:6      | 167:20 168:6    | 39:5 54:12     | <b>literally</b> | 145:15         |
|                  | 57:19 60:15     | 171:3 181:23    | 75:17 103:17   | 32:23            | 171:17         |
| <b>K</b>         | 60:19 61:5      | <b>knowing</b>  | 103:24         | <b>little</b>    | <b>looking</b> |
| <b>kedzie</b>    | 61:22,23        | 20:1 93:19      | 107:10 116:3   | 71:25 72:6,13    | 71:25 72:6,13  |
| 35:9 130:5       | 62:21 63:24     | 101:25 102:1    | 149:13 150:3   | 74:23 75:1       | 74:23 75:1     |
| <b>keep</b>      | 64:5,10,13      | 147:4,11        | 184:11         | 77:13 79:11      | 77:13 79:11    |
| 13:1 126:17      | 64:15 65:20     | <b>knows</b>    | <b>legal</b>   | 122:17 128:7     | 80:25 81:5     |
| <b>kelvyn</b>    | 67:11 68:6,6    | 132:21          | 146:4 147:8    | 146:4 147:8      | 100:2 107:9    |
| 144:8,11,18      | 68:11,12        | <b>koisher</b>  | 2:4            | 147:12,15        | 109:5,6,6      |
| 145:17,22        | 76:2,14,17      | 4:10            | <b>lemon</b>   | 156:25           | 138:23         |
| 147:13,22        | 76:18,19        | <b>L</b>        | 30:5,9,11,12   | 158:22 171:8     | 172:13         |
| <b>kept</b>      | 77:23 78:5      | <b>lack</b>     | 68:16,22       | <b>live</b>      | <b>looks</b>   |
| 93:24            | 78:15,15,16     | 148:1           | 130:19         | 19:17 20:2,17    | 69:14          |
| <b>kid</b>       | 79:1,3,4,5      | <b>ladies</b>   | <b>lengths</b> | 20:22 28:8       | <b>loose</b>   |
| 97:21 98:1,3     | 79:10,13,25     | 103:21          | 57:13          | 29:6 41:13       | 69:16          |
| 100:25 101:2     | 80:4 82:10      | <b>lady</b>     | <b>leonard</b> | 130:18 164:4     | <b>lopez</b>   |
| 101:5,9          | 82:13 83:20     | 89:13 93:20     | 3:7            | 164:5 178:8      | 1:16 4:2 5:8   |
| 114:22           | 85:8,16,17      | 95:4,9,10,15    | <b>letting</b> | 19:14 28:6       | 10:4,18,21     |
| 158:10           | 85:20 88:7      | 96:5,12         | 138:11         | 30:4,7 32:14     | 11:1,5,5,7,9   |
| <b>kids</b>      | 88:18 89:4      | 98:19 116:25    | <b>levels</b>  | 41:12 52:16      | 17:12 18:4     |
| 20:5 131:22      | 89:14 90:22     | 125:2 152:21    | 85:3           | 119:4 128:8      | 18:15 19:6     |
| 149:8            | 91:13,15,23     | 153:25          | <b>lie</b>     | 129:21           | 25:19 33:21    |
| <b>killed</b>    | 92:1,2,2,2,4    | 158:16          | 101:23,25      | 130:19,25        | 44:2 48:19     |
| 110:3 132:21     | 92:15 93:18     | 178:24 179:4    | 102:1,3        | 134:6 145:16     | 52:11 59:14    |
| 182:6            | 93:24 94:3      | 179:11,13       | 112:20 115:7   | 163:4            | 67:21 92:1     |
| <b>kimball</b>   | 96:4,9,20       | 180:3,10,16     | 182:10,12      | <b>lives</b>     | 118:6 119:8    |
| 35:12 36:13,14   | 97:3,5,9,10     | 180:17,21       | <b>lied</b>    | 164:5,8          | 122:5,7        |
| 49:15 105:12     | 97:22,23,24     | 181:6           | 103:6          | <b>living</b>    | 141:1 152:6    |
| 129:22,24        | 97:24,25        | <b>language</b> | 21:18 25:15    | 19:10 20:16,21   | 152:16 168:1   |
| 130:2 184:9      | 98:1,4 99:24    | 89:23           | 88:16 92:12    | 24:5 26:21       | 168:24 169:1   |
| <b>kind</b>      | 100:5,9,20      | <b>late</b>     | 92:13 94:4     | 26:22 131:18     | 169:3 177:2    |
| 145:5 156:17     | 101:2,3,5,19    | 21:6            | 101:12 147:6   | 131:19 135:9     | 183:13 184:3   |
| <b>kinds</b>     | 103:13          | <b>latin</b>    | 157:17         | 157:1            | 186:9 188:4    |
| 170:24           | 104:10,11,25    | 17:20 60:22,23  | <b>light</b>   | 188:9 189:4      | 188:9 189:4    |
| <b>king</b>      | 105:1,22        | 61:1,18 62:6    | 76:24 77:1     | 3:19             | 189:13         |
| 62:17 67:4       | 106:25          | 62:17,20        | <b>line</b>    | 76:24 77:1       | 190:20         |
| 71:18,19         | 108:12          | 66:4,5 67:4     | 78:1 79:15     | <b>located</b>   | <b>lopezs</b>  |
| 170:3,4,15       | 109:22,23       | 70:24 71:2,5    | 80:18 82:1     | 43:3 45:8        | 16:15          |
| 170:19,23        | 110:11,11,14    | 71:7,8,10,15    | 112:5,6        | <b>location</b>  | <b>lord</b>    |
| <b>kings</b>     | 111:7,8,9,15    | 71:18,19,20     | 113:9 189:7    | 41:16 45:12      | 180:9          |
| 17:20 22:11      | 112:24          | 73:2 128:17     | 190:3          | 53:3 57:6        | <b>lot</b>     |
| 60:22,23         | 113:16 114:5    | 78:25 79:10     | 80:15 90:3     | 65:4 70:7        | 65:4 70:7      |
| 61:1,18 62:7     | 115:8,10,15     | 129:3,11        | 184:13,16      | 92:12 109:19     | 92:12 109:19   |
| 62:20 66:4,5     | 115:18 117:5    | 130:8,11        | 78:25 79:10    | 114:11 115:9     | 114:11 115:9   |
| 70:25 71:2,6     | 118:23,24       | 170:19,23       | 116:21         | 139:13           | 139:13         |
| 71:7,9,10,15     | 119:1,6,11      | 171:9 177:12    | 152:14 179:8   | 145:18 148:9     | 145:18 148:9   |
| 71:20 73:2       | 122:21 124:6    | 177:12,20       | <b>lineup</b>  | 86:19            | 148:14         |
| 130:5 170:8      | 129:3,5         | 177:21,24       | 18:18,22 19:1  | <b>loevy</b>     | 149:18         |
| 171:10           | 131:19,19       | 178:8,13        | 77:21,24       | 2:14,14,20       | 150:16         |
| 177:12,13,20     | 132:18          | 19:14 20:9      | 19:14 20:9     | <b>loud</b>      | <b>loud</b>    |
| <b>kinky</b>     | 133:25 134:1    | 19:22 80:12     | 21:1 25:2      | 116:8 152:10     | 116:8 152:10   |
| 76:6,7           | 135:14,15,17    | 80:25 81:5      | 49:19 66:10    | <b>love</b>      | <b>love</b>    |
| <b>knew</b>      | 136:18,18,19    | 81:25 83:22     | 72:9 76:15     | 82:23            | 82:23          |
| 27:8 29:22       | 136:19 137:4    | 83:25 84:4      | 83:20 96:9     | <b>lunch</b>     | <b>lunch</b>   |
| 31:23 43:20      | 137:17 138:3    | 10:21           | 87:2 88:1,2    | 119:17 120:2     | 119:17 120:2   |
| 65:21 67:8       | 138:4,5,13      | <b>lawsuit</b>  | 88:7 93:16     | 132:13           | luncheon       |
| 68:9 80:2        | 138:25 139:3    | 14:15 122:10    | 93:17,17       | 162:10 166:3     | 121:1          |
| 83:10 88:15      | 139:20,24       | <b>lawyer</b>   | 94:11,15       | 168:16           |                |
|                  | 141:24,25       |                 | 98:10,13,23    | <b>longer</b>    |                |

|                |                |                |               |               |          |
|----------------|----------------|----------------|---------------|---------------|----------|
| macho          | 17:24 32:4     | 19:7 27:9      | 105:7 115:14  | 138:17        | occasion |
| 165:4,5,8      | 81:1 88:13     | 43:15,19       | 134:5 169:12  | 23:1 75:20    |          |
| magnitude      | 89:6 90:16     | 61:8 66:3      | 174:25        | 85:6          |          |
| 97:24          | 91:16 128:17   | 94:6 103:23    | 176:20        | occasions     |          |
| mail           | 170:23         | 104:2 105:23   | needed        | 18:16 173:9   |          |
| 137:24         | members        | 119:14 142:6   | 127:20        | 177:3         |          |
| main           | 22:14 92:13    | money          | neighborhood  | occurred      |          |
| 163:18         | 173:11         | 105:3          | 23:15 68:21   | 22:7 106:16   |          |
| major          | 176:13 177:5   | month          | 130:22        | odd           |          |
| 167:9          | memory         | 174:3          | 164:21        | 139:1         |          |
| man            | 26:25 33:5     | morning        | nephews       | office        |          |
| 20:3 21:22     | 37:15 70:17    | 11:11 14:12    | 164:15        | 187:6         |          |
| 39:14,16,19    | 75:16 77:24    | 65:24 122:23   | never         | officer       |          |
| 39:22 45:19    | 108:8 136:25   | 128:7          | 140:22 189:7  | 64:25 72:6    |          |
| 46:8 56:15     | 174:9,13       | mother         | 18:8 50:18    | 74:13,18      |          |
| 56:18,22       | mentally       | 28:7 67:15     | 56:21 68:17   | 75:1,21,25    |          |
| 58:2 77:20     | 13:24          | 75:18 131:2    | 72:18,18      | 77:3,6 79:21  |          |
| 89:25 90:19    | mentioned      | mothers        | 74:22 140:12  | 80:24         |          |
| 92:14 93:20    | 36:18 81:6     | 96:22,23       | numbers       | officers      |          |
| 108:22 176:9   | 128:9          | 97:11 105:2    | 140:22 189:7  | 60:8 63:16,19 |          |
| mania          | merry          | 105:20         | o             | 63:25 64:1,6  |          |
| 129:11         | 101:11         | 127:10         | oath          | 64:19 65:6    |          |
| maniac         | met            | 132:20 151:9   | 11:18 17:11   | 65:25 74:20   |          |
| 21:20 22:22    | 14:11 123:13   | 151:21         | 18:3,14       | 74:22 75:5    |          |
| 61:23 128:17   | 123:14         | 154:17 166:1   | 8:18,19,22    | 77:15 158:1   |          |
| 128:22,24      | 124:16         | 166:16         | 25:23 84:8    | 158:6 169:6   |          |
| 129:2,3,7      | 159:22 161:9   | 167:20         | 84:20 86:17   | official      |          |
| 130:8,11,15    | 161:21 162:2   | mozart         | 111:24        | 188:15 189:21 |          |
| map            | method         | 27:21 29:8,9   | 118:15        | oh            |          |
| 6:5 33:14,18   | 116:11         | move           | 143:11        | 34:24 36:14   |          |
| 33:25 34:17    | microphone     | 132:10 151:9   | 150:12        | 42:18 90:4    |          |
| 184:8,11,14    | 175:22         | 152:16 153:19  | 152:25 153:8  | 103:9 107:1   |          |
| maps           | mileage        | mullet         | 154:3 159:3   | 108:5,22      |          |
| 33:7 184:1     | 142:24         | murder         | objection     | 115:8 146:24  |          |
| marilyn        | miles          | 25:20 98:1     | 7:1,3,5,6,7,8 | 149:15        |          |
| 28:11 30:16,17 | 119:6,6 142:24 | 132:13,16      | 7:9,10,11,12  | 152:12        |          |
| 30:17,21       | mind           | 156:15         | 7:13,16,18    | 159:11        |          |
| 31:1,6 67:21   | 18:20,25 32:10 | murdered       | 7:19,20,21    | 175:17 180:9  |          |
| 67:23 68:5     | 32:11,19       | 132:12,14      | 7:22,23,24    | ohio          |          |
| 131:3,7,9,11   | 56:3 70:20     | mustache       | 7:25 8:1,2,3  | 1:21 4:6 10:5 |          |
| 133:17 142:5   | 178:11         | 76:21 117:3    | 8:4,5,7,8,9   | 10:22 19:11   |          |
| 163:20 164:3   | minding        | night          | 8:10,11,12    | 103:11 137:8  |          |
| 165:15         | 51:1           | 63:15 64:2     | 8:14,15,20    | 144:2 150:7   |          |
| mark           | mingey         | 132:13,16      | 8:21,23,24    | 163:4 186:2   |          |
| 16:3 40:16     | 3:6            | 156:25 67:2    | 8:25 9:1,2,3  | 186:7 187:7   |          |
| 48:10 140:12   | minute         | 65:25 67:2     | 9:4,5,6       | 187:15        |          |
| 174:15         | 110:14 113:10  | 68:2 69:23     | 15:15 31:10   | okay          |          |
| marked         | minutes        | 75:8 77:12     | 31:21 42:13   | 12:2,3,17,18  |          |
| 6:2 15:6 16:7  | 15:3 65:16     | murdered       | 66:1 71:3     | 13:3,4,15,20  |          |
| 33:14,17       | 120:2 168:15   | 75:8 77:12     | 79:2 82:20    | 19:25 24:15   |          |
| 35:21 41:3     | 181:4          | mustache       | 83:1,8 85:2   | 26:18,19      |          |
| 44:19 48:15    | mirror         | 76:21 117:3    | 85:3 87:3,5   | 27:10,12      |          |
| 52:2,6         | 82:7 99:22     | night          | 87:9,14,19    | 28:5 33:8     |          |
| 111:21 125:9   | mischaracte... | 63:15 64:2     | 90:14 94:24   | 34:3,11,16    |          |
| 140:16,20      | 71:13          | 125:19 129:8   | 96:2 100:11   | 35:3,19 40:5  |          |
| 151:14         | mischaracte... | 129:9 144:3    | 100:22,23     | 40:9 43:11    |          |
| 174:19         | 71:4 82:21     | 146:7,10,11    | 105:21        | 43:12 45:17   |          |
| marking        | 96:3           | 146:13,21      | 108:20        | 45:18 49:17   |          |
| 15:1 44:9      | mishear        | 147:9 165:3    | 109:17        | 50:10 53:12   |          |
| married        | 128:14         | 165:4 167:15   | 111:14 112:2  | 61:24 64:8    |          |
| 20:3,10,15     | misheard       | 167:19,21,23   | 112:14 115:3  | 76:10,15      |          |
| 68:17 133:4    | 81:23 128:15   | 169:3 171:3    | 115:5 116:10  | 77:6 79:6     |          |
| matter         | misplaced      | 188:3,4,15     | 116:16        | 83:4 85:8,15  |          |
| 10:4           | 189:3,4,21     | 189:3,4,21     | 117:10,19     | 85:16 86:24   |          |
| mcclaughlin    | named          | named          | 118:19,20     | 87:20 88:5    |          |
| 3:7            | mission        | 102:13,14      | 153:6,8       | 87:20 88:5    |          |
| mean           | 128:5          | 176:9 186:9    | 155:1,6       | 91:17 93:23   |          |
| 17:18 19:21    | misspoke       | names          | 173:14        | 94:1,6 101:9  |          |
| 21:14 29:8     | 42:19          | 19:24 102:19   | 103:10,16     | 103:10,16     |          |
| 30:3 68:9      | misstates      | 35:2,3 36:24   | 112:13        | 112:13        |          |
| 76:5,6 79:25   | 178:18 179:17  | 102:19,21      | 177:6 178:5   | 114:18 120:1  |          |
| 80:22 91:14    | 179:23 180:7   | 167:20,22      | 178:18        | 123:5,21      |          |
| 91:15 95:18    | 180:23         | nature         | 179:16,20     | 124:9,15      |          |
| 99:23 104:18   | misstating     | 30:25 31:19    | 180:6,7,23    | 125:4,21      |          |
| 111:25         | 179:25         | nay            | 182:1         | 127:19 128:2  |          |
| 126:21 137:1   | mistake        | 104:18         | northern      | 128:6,16      |          |
| 150:19,19      | 26:2 88:15     | 28:21 33:24    | 1:2           | 130:7,15,21   |          |
| 153:2          | 101:11 116:1   | 86:25          | northwest     | 131:22        |          |
| means          | mld            | necessarily    | 130:13 143:20 | observing     |          |
| 42:21          | 128:12         | 139:17         | northwestern  | 134:24 135:6  |          |
| meant          | moe            | need           | 2:4,10        | 136:1         |          |
| 42:11          | 47:19 68:17    | 11:23,25 13:10 | notary        | 135:11,13     |          |
| meet           | mom            | 13:14 15:13    | 186:6 187:14  | obtaining     |          |
| 124:4 162:5,10 | 28:9,13 29:12  | 19:23 34:23    | 188:10        | 23:22         |          |
| member         | 157:2          | 41:20 64:7     | 188:10,18     | obvious       |          |
|                | moment         | 66:11,13       | 189:15,23     | 157:20        |          |
|                |                |                | 190:23        | obviously     |          |
|                |                |                | note          | 50:15 69:12   |          |

|                    |                      |                    |                     |                   |               |
|--------------------|----------------------|--------------------|---------------------|-------------------|---------------|
| 149:10,15          | 33:18,22,24          | 166:14 175:6       | 42:1 45:13,23       | 66:4,22,23        | presumably    |
| 151:9 152:1        | 34:18 35:1,8         | 179:18             | 48:21 56:24         | 66:24 73:4        | 177:16        |
| 152:13,24          | 35:23,23             | <b>period</b>      | 57:24 73:10         | 74:15 75:15       | <b>pretty</b> |
| 153:12,16          | 111:23 112:5         | 29:1 131:16        | 73:12,25            | 80:18,19          | 17:5,16 28:22 |
| 154:10,15          | 116:9,21             | 156:15 174:9       | 74:9,15 75:3        | 82:12 85:11       | 30:6 38:1     |
| 155:13 157:9       | 152:4,9,14           | <b>perpetrator</b> | 82:15 108:23        | 94:8 98:12        | 40:10 48:6    |
| 158:12,22          | 175:1 184:1          | 132:17             | <b>pictures</b>     | 98:13 99:1,5      | 49:24 50:7    |
| 159:11,15,20       | 189:7 190:3          | <b>person</b>      | 60:25 65:8,9        | 99:6,23           | 51:9 54:7     |
| 160:6,25           | <b>pages</b>         | 17:12,14,15,24     | 66:4 69:10          | 100:8 112:25      | 55:12 58:19   |
| 161:4,10,14        | 69:18 70:1           | 17:25 18:4         | 70:6,7 71:15        | 113:5,11,14       | 61:6 63:3     |
| 164:4 168:10       | 151:18               | 43:14 75:24        | 71:25 72:8,9        | 114:16 115:1      | 64:20 66:6    |
| 169:13,14          | <b>palmer</b>        | 82:18,24           | 72:15 73:2          | 116:1             | 67:1 68:24    |
| 172:12             | 27:25 34:21          | 83:5,15            | 74:23 75:2          | 148:25 78:6       |               |
| 174:15             | 130:3,4              | 84:19,22           | 141:10              | 78:18,19          |               |
| 175:15             | <b>paper</b>         | 96:13 100:21       | 176:13              | 79:7 96:14        |               |
| 178:25             | 33:5                 | 101:20             | 177:21              | 109:2 128:24      |               |
| <b>old</b>         | <b>papers</b>        | 107:14             | <b>place</b>        | 129:4 134:5       |               |
| 20:5,7 21:8        | 95:13                | 108:25             | 16:3,16 52:19       | 142:11 148:8      |               |
| 23:15 26:24        | <b>pare</b>          | 117:16 140:4       | 52:23 53:9          | 149:8 167:8       |               |
| 30:17 34:1         | 169:11               | 144:25             | 53:16,23            | <b>prevent</b>    |               |
| 50:16 101:11       | <b>parents</b>       | 145:21 146:6       | 54:2 80:13          | 12:14             |               |
| 125:2 136:7        | 157:11 163:11        | 147:3 170:20       | 98:6 143:6          | <b>pride</b>      |               |
| 138:2 144:20       | 167:5                | 172:3,15,17        | 143:17              | 62:22             |               |
| 149:14,20          | <b>park</b>          | 179:14 180:4       | 186:20              | <b>printed</b>    |               |
| 173:22             | 18:11 22:12          | 180:21 182:5       | <b>placed</b>       | 163:4             |               |
| <b>older</b>       | 29:8 35:12           | <b>personally</b>  | 41:8 48:18          | <b>prior</b>      |               |
| 131:4,6 145:7      | 36:11,12             | 29:22 111:8,9      | 184:11              | 14:20 18:8,11     |               |
| 147:18             | 59:2 88:10           | 145:12             | <b>places</b>       | 20:21 22:5        |               |
| <b>oldest</b>      | 88:23 111:2          | 188:11             | 157:11              | 36:19 47:6        |               |
| 103:24 131:7,8     | 112:17,23            | 189:15             | <b>plainclothes</b> | 58:25 77:22       |               |
| 131:9              | 113:4,15             | <b>phone</b>       | 64:3                | 105:20            |               |
| <b>olive</b>       | 114:20 130:1         | 172:9              | <b>plaintiff</b>    | 107:15            |               |
| 54:24,25 55:4      | 130:2,4,12           | <b>photo</b>       | 1:7 2:3,13          | <b>probably</b>   |               |
| 74:8,9             | 130:13 144:8         | 57:23 172:14       | 10:9,12             | 21:2 40:10        |               |
| <b>olivero</b>     | 144:10,12,18         | 173:7              | <b>play</b>         | 46:21 49:8        |               |
| 167:17             | 145:4,17,22          | <b>photograph</b>  | 112:16,23           | 51:8 57:15        |               |
| <b>once</b>        | 147:13,22            | 6:6,7,8,9,10       | <b>playing</b>      | 61:3,25           |               |
| 22:17 23:11        | 171:5                | 40:19 41:3,7       | 18:11 59:2          | 72:20 75:17       |               |
| 31:13 53:6         | <b>parked</b>        | 41:15 43:1         | 97:22 98:2          | 110:16 119:6      |               |
| 66:22 73:3         | 38:4 42:2,3          | 44:9,14,19         | 111:2,10            | 136:19,20         |               |
| 126:9 130:3        | 45:12 52:19          | 44:24 45:6         | 113:1,4,15          | 147:21 148:5      |               |
| 149:7,19           | 57:1,8               | 48:8,11,15         | 114:20 171:4        | 149:14 168:9      |               |
| 183:13             | <b>part</b>          | 49:5 52:1,6        | <b>plays</b>        | <b>probe</b>      |               |
| <b>ones</b>        | 28:23 68:2           | 52:12,15,18        | 32:12               | 139:19            |               |
| 61:24 158:2        | 105:1 114:20         | 52:22,23           | <b>pleasant</b>     | <b>problem</b>    |               |
| <b>open</b>        | 116:7 139:9          | 53:6 57:10         | 12:21               | 101:10 110:5      |               |
| 89:12              | 139:24 140:7         | 73:24 134:11       | <b>please</b>       | 115:17            |               |
| <b>operate</b>     | 147:4,11             | 134:24 140:3       | 10:6,20 11:3        | <b>post</b>       |               |
| 115:21             | 150:5 189:9          | 140:16,25          | 15:11 25:7          | 144:14            |               |
| <b>opinion</b>     | <b>partially</b>     | 141:3,5,7,13       | 38:8 57:10          | 148:16            |               |
| 167:1              | 42:5                 | 141:16 176:9       | 88:6 95:6           | <b>problems</b>   |               |
| <b>opportunity</b> | <b>particular</b>    | 176:11             | 96:8 107:17         | 144:13 146:2      |               |
| 14:5 15:23         | 14:14,16,20          | 177:23             | 118:5               | 157:18            |               |
| <b>opposed</b>     | 22:4 24:16           | 182:20             | <b>plus</b>         | <b>procedure</b>  |               |
| 12:1               | 25:3 33:21           | <b>photographs</b> | 48:12               | 10:23 11:15       |               |
| <b>order</b>       | 64:25 90:7           | 153:23 171:9       | <b>point</b>        | 185:7 188:5       |               |
| 150:9,17 152:7     | 100:10               | 171:18             | 13:10 20:6          | 189:5             |               |
| <b>ordinary</b>    | <b>parties</b>       | 173:11 177:4       | 25:13 27:3          | <b>proceeded</b>  |               |
| 78:14,20           | 31:14                | 177:11,19          | 37:3,8 40:13        | 140:9             |               |
| <b>original</b>    | <b>party</b>         | <b>photos</b>      | 44:3,9 45:11        | <b>proceeding</b> |               |
| 40:24 185:12       | 187:3                | 40:25 152:20       | 46:9 47:6,9         | 123:3,7 124:13    |               |
| <b>originated</b>  | <b>passed</b>        | 153:23 173:4       | 47:13 49:10         | 162:4 163:1       |               |
| 130:20             | 132:8 166:4          | <b>pick</b>        | 49:21 50:6          | <b>process</b>    |               |
| <b>orlando</b>     | <b>passenger</b>     | 133:14 173:4       | 50:23 51:11         | 119:9,15          |               |
| 1:16 4:2 5:8       | 42:12,17 56:13       | 182:19             | 51:22 53:9          | 183:15            |               |
| 10:4,18,21         | <b> paul</b>         | <b>picked</b>      | 53:15 59:5          | <b>prompt</b>     |               |
| 11:1,5,6,7         | 3:5                  | 82:9,10,14,17      | 59:14,16,18         | 119:12            |               |
| 12:25 169:1        | pay                  | 82:24 83:5         | 61:4 74:2,3         | <b>prompted</b>   |               |
| 186:9 188:4        | 168:15               | 84:18,22           | 91:23 93:4,7        | 21:12             |               |
| 188:9 189:4        | peeled               | 93:8 100:6         | 99:8 100:10         | <b>properly</b>   |               |
| 189:13             | 142:9                | 100:14,24          | 101:6,16            | 11:24             |               |
| 190:20             | peer                 | 101:13,14          | 106:3 110:4         | <b>protected</b>  |               |
| <b>outside</b>     | 21:18 22:4           | 152:17,18          | 113:13 114:6        | 179:6             |               |
| 63:16 102:24       | 128:10               | 153:20,21          | 115:14,25           | <b>proudly</b>    |               |
| 103:1              | <b> pen</b>          | 162:12 172:3       | 119:10              | 62:22             |               |
| <b>overhearing</b> | 53:1,8 184:13        | 172:14             | 126:25              | <b>provided</b>   |               |
| 135:16             | <b> pennsylvania</b> | 177:22 178:8       | 128:10              | 10:22 125:17      |               |
| <b>overnight</b>   | 20:18,19,22          | 179:1 181:6        | 131:25 132:1        | 125:18            |               |
| 118:10             | <b> people</b>       | 181:8,8            | 133:20 135:1        | 126:24            |               |
| <b>owner</b>       | 65:4 104:25          | <b>picking</b>     | 140:9,10            | <b>provides</b>   |               |
| 46:14              | 105:2 114:11         | 47:18 72:14        | 144:21              | 24:17             |               |
|                    | 115:13 119:1         | 75:14 83:11        | 150:20 164:3        | <b>public</b>     |               |
|                    | 145:25               | 84:11 91:23        | 181:10,13           | 186:7 187:14      |               |
|                    | 148:11               | 100:21 101:3       | 184:20              | 188:10,18         |               |
|                    | 149:12               | 173:6 181:24       | <b>pointed</b>      | 189:15,23         |               |
|                    |                      | <b>picture</b>     | 42:8,9 61:4         | 190:23            |               |

|                 |                |                   |              |                   |              |                       |
|-----------------|----------------|-------------------|--------------|-------------------|--------------|-----------------------|
| <b>puerto</b>   | 153:5 158:23   | <b>reason</b>     | 21:20 22:15  | <b>reference</b>  | 113:25 114:2 | <b>13:7</b>           |
| 55:1            | 168:13,25      |                   | 34:9 61:17   | <b>referenced</b> | 114:23       | <b>response</b>       |
| <b>pulaski</b>  | 169:8,9        |                   | 62:1 92:7    | <b>referred</b>   | 123:12       | 16:13 73:6            |
| 130:14          | 176:1,3,7,14   |                   | 113:3 115:19 | <b>referring</b>  | 124:22,25    | 136:14                |
| <b>purpose</b>  | 182:25 183:2   |                   | 138:21 139:1 |                   | 126:1 136:13 | <b>responsibility</b> |
| 13:12 34:16     | 183:16         |                   | 175:15 189:8 |                   | 139:18,19,20 | 13:1                  |
| <b>purposes</b> | 49:23 50:2,3,3 |                   | 190:3        |                   | 139:22,23    | <b>rest</b>           |
| 15:6 16:7       | 58:12 151:20   | <b>reasonable</b> | 67:20 113:23 |                   | 140:1,8      | 101:12 113:7          |
| 33:14 41:3      | 168:11         |                   | 161:6        |                   | 141:4,6,9,18 | 115:4                 |
| 44:19 48:15     | 174:24         | <b>recall</b>     | 117:6 175:10 | <b>refresh</b>    | 141:23 142:1 | <b>result</b>         |
| 52:6 140:16     | quite          |                   |              | <b>refreshes</b>  | 142:2 143:25 | 22:4                  |
| 151:14          | 177:14         |                   |              |                   | 146:21 148:2 | <b>resumed</b>        |
| 174:19          |                |                   |              |                   | 148:5,17,25  | 59:13 93:3            |
| 176:22          |                |                   |              |                   | 150:8,20     | 110:24 122:3          |
| <b>pursuant</b> |                |                   |              |                   | 151:24       | 168:23                |
| 185:3,6         |                |                   |              |                   | 154:21,22    | 183:12                |
| <b>put</b>      |                |                   |              |                   | 155:11,24,25 | <b>retained</b>       |
| 28:12 43:11     |                |                   |              |                   | 156:2,4,6    | 5:16                  |
| 52:22 53:14     |                |                   |              |                   | 157:5,8      | <b>retaliation</b>    |
| 54:17,21        |                |                   |              |                   | 158:12       | 156:17 157:18         |
| 59:21 79:9      |                |                   |              |                   | 173:15,18,21 | <b>return</b>         |
| 80:17 85:18     |                |                   |              |                   | 174:2,4      | 23:14                 |
| 91:13 100:13    |                |                   |              |                   | 175:25 177:9 | <b>returned</b>       |
| 125:20 140:4    |                |                   |              |                   | 177:17       | 47:7                  |
| <b>putting</b>  |                |                   |              |                   |              | <b>review</b>         |
| 141:6           |                |                   |              |                   |              | 112:9 126:11          |
|                 |                |                   |              |                   |              | 139:8 185:2           |
|                 |                |                   |              |                   |              | 185:6 188:1           |
|                 |                |                   |              |                   |              | 189:1                 |
|                 |                |                   |              |                   |              | <b>reviewed</b>       |
|                 |                |                   |              |                   |              | 137:18,21             |
|                 |                |                   |              |                   |              | 138:6                 |
|                 |                |                   |              |                   |              | <b>reviewing</b>      |
|                 |                |                   |              |                   |              | 138:16                |
|                 |                |                   |              |                   |              | <b>revisions</b>      |
|                 |                |                   |              |                   |              | 126:13 160:15         |
|                 |                |                   |              |                   |              | 160:17                |
|                 |                |                   |              |                   |              | <b>reynaldo</b>       |
|                 |                |                   |              |                   |              | 1:11 3:3 188:3        |
|                 |                |                   |              |                   |              | 189:3                 |
|                 |                |                   |              |                   |              | <b>rican</b>          |
|                 |                |                   |              |                   |              | 55:1                  |
|                 |                |                   |              |                   |              | <b>right</b>          |
|                 |                |                   |              |                   |              | 14:12 19:6            |
|                 |                |                   |              |                   |              | 26:25 32:5            |
|                 |                |                   |              |                   |              | 32:10,12,20           |
|                 |                |                   |              |                   |              | 33:6 34:4,19          |
|                 |                |                   |              |                   |              | 34:21 35:7,9          |
|                 |                |                   |              |                   |              | 35:24 36:18           |
|                 |                |                   |              |                   |              | 36:25 38:7            |
|                 |                |                   |              |                   |              | 39:3 42:3             |
|                 |                |                   |              |                   |              | 43:4 45:25            |
|                 |                |                   |              |                   |              | 46:1 51:6,21          |
|                 |                |                   |              |                   |              | 51:25 53:14           |
|                 |                |                   |              |                   |              | 54:13 56:3            |
|                 |                |                   |              |                   |              | 57:2,8 58:5           |
|                 |                |                   |              |                   |              | 64:24 65:2            |
|                 |                |                   |              |                   |              | 67:2 70:17            |
|                 |                |                   |              |                   |              | 70:20 75:19           |
|                 |                |                   |              |                   |              | 77:24 81:13           |
|                 |                |                   |              |                   |              | 88:14,22              |
|                 |                |                   |              |                   |              | 89:15 91:17           |
|                 |                |                   |              |                   |              | 93:23 95:15           |
|                 |                |                   |              |                   |              | 95:22 107:2           |
|                 |                |                   |              |                   |              | <b>request</b>        |
|                 |                |                   |              |                   |              | 107:11,22,25          |
|                 |                |                   |              |                   |              | 189:9,11              |
|                 |                |                   |              |                   |              | 108:6 110:6           |
|                 |                |                   |              |                   |              | 115:8 116:4           |
|                 |                |                   |              |                   |              | 116:13                |
|                 |                |                   |              |                   |              | 117:23 119:5          |
|                 |                |                   |              |                   |              | 18:23                 |
|                 |                |                   |              |                   |              | 123:17 124:1          |
|                 |                |                   |              |                   |              | <b>resemblance</b>    |
|                 |                |                   |              |                   |              | 127:11                |
|                 |                |                   |              |                   |              | 130:16 132:3          |
|                 |                |                   |              |                   |              | <b>resemble</b>       |
|                 |                |                   |              |                   |              | 134:12                |
|                 |                |                   |              |                   |              | 136:25 143:7          |
|                 |                |                   |              |                   |              | 145:1 150:3           |
|                 |                |                   |              |                   |              | 156:22,24             |
|                 |                |                   |              |                   |              | 157:13,25             |
|                 |                |                   |              |                   |              | 160:3,22              |
|                 |                |                   |              |                   |              | 162:6,22              |
|                 |                |                   |              |                   |              | 163:15 164:9          |
|                 |                |                   |              |                   |              | 169:19 170:4          |
|                 |                |                   |              |                   |              | 170:6,12,16           |
|                 |                |                   |              |                   |              | 170:25 171:5          |
|                 |                |                   |              |                   |              | 171:10 172:4          |
|                 |                |                   |              |                   |              | 172:4,7,15            |
|                 |                |                   |              |                   |              | 174:25                |

|                       |                 |                |                |                    |                    |                     |          |
|-----------------------|-----------------|----------------|----------------|--------------------|--------------------|---------------------|----------|
| 182:10                | 118:20          | 106:24         | 111:3          | 152:23             | 110:11             | 41:7                | 48:20    |
| <b>rights</b>         | 119:16,19,23    | 111:16         | 114:4          | 153:12,15          | 112:16,22          | 52:15               | 57:17    |
| 183:18                | 120:3           | 122:6          | 114:23         | 130:9              | 139:22             | 140:2               | 176:8    |
| <b>righty</b>         | 122:9           | 127:8          | 144:2          | 146:10             | 140:9              | <b>shut</b>         |          |
| 152:12                | 153:11          | 148:6          | 153:18         | 164:20             | 146:16             | 67:16               |          |
| <b>rinaldi</b>        | 159:11,15,18    | 153:18         | 154:8          | 175:2,8            | 170:12             | <b>side</b>         |          |
| 3:8                   | 159:21          | 154:22         | 184:7          | 184:7              | 173:1              | 22:15               | 35:7,24  |
| <b>ring</b>           | 168:10,24       | 155:22         | <b>seeing</b>  | 180:22             | 179:14             | 35:25               | 36:25    |
| 167:16,25             | 172:11          | 156:4,10       | 61:1           | 180:22             | 180:4              | 38:12,13,15         |          |
| <b>rival</b>          | 184:17          | <b>says</b>    | 87:24          | 181:18             | <b>shooters</b>    | 39:12               | 42:12    |
| 17:20                 | 132:22          | 34:5           | 93:12          | 47:9               | 47:9               | 42:17,21            |          |
| 170:23                | <b>roughly</b>  | 113:10,12      | 108:8          | 59:15              | 62:25              | 56:13               | 88:25    |
| <b>rivals</b>         | 102:9           | 113:12         | 141:18         | 65:14              | 144:3              | 89:2,3,5            |          |
| 129:18                | <b>rpr</b>      | 117:20         | 152:2          | 65:15              | 18:7,9,12,17       | 93:5                | 130:12   |
| <b>rivera</b>         | 1:22            | 186:6          | 152:15         | 84:7               | 26:16              | 130:14              |          |
|                       | 187:14          | 175:6          | 175:25         | 97:12              | 37:25              | 166:15              |          |
| 1:5 10:4,10,12        | <b>ruiz</b>     | 50:17          | <b>seen</b>    | 37:25              | 39:17              | <b>sidewalk</b>     |          |
| 11:10                 | 167:24          | 88:16,18       | 18:6,10        | 41:17              | 41:17              | 42:4                |          |
| 61:4                  | <b>rules</b>    | 144:15         | 58:24          | 43:17              | 43:21              | <b>sign</b>         |          |
| 73:4,9,11             | 10:22           | 147:6          | 59:2           | 45:20              | 46:9               | 93:6                |          |
| 80:19                 | 11:22           | <b>scene</b>   | 65:15          | 47:23              | 11,15              | <b>signature</b>    |          |
| 82:11,14,18           | 185:3,7         | 40:25          | 84:7           | 51:2               | 48:5               | 185:5               |          |
| 82:19,25              | 188:5           | <b>school</b>  | 97:12          | 54:6               | 54:6               | <b>signed</b>       |          |
| 83:6                  | 189:5           | 23:20          | 105:25         | 58:25              | 60:8,18            | 15:1,17             | 188:13   |
| 84:19,23              | <b>run</b>      | 27:2,14        | 106:5          | 61:19              | 61:19              | 189:18              |          |
| 85:12                 | 11:12           | 27:16,17,18    | 111:2          | 71:18              | 71:18              | <b>significance</b> |          |
| 94:7                  | 34:4            | 27:20,21       | 112:16,22      | 75:22              | 77:23              | 61:15               |          |
| 99:2,6                | 35:8,12         | 29:9           | 113:1,2,4,15   | 87:25              | 87:25              | <b>significant</b>  |          |
| 100:20                | 55:18           | 85:7           | 127:10         | 105:13             | 105:16             | 62:4                |          |
| 101:20                | 143:10          | 86:14          | 145:1          | 105:21             | 106:16             | <b>signs</b>        |          |
| 104:20                | 168:16          | 87:1           | 21,21          | 107:3              | 107:16             | 90:19               | 91:12    |
| 109:23                | <b>running</b>  | 88:10,24       | 151:22         | 108:16             | 108:16             | 92:11,14            |          |
| 110:7                 | 35:17           | 144:8,11,12    | 158:20         | 110:15             | 110:15             | <b>similar</b>      |          |
| 110:9                 | 48:3            | 144:23,24      | 162:21,24      | 115:20             | 115:20             | 11:17               | 63:3     |
| 122:11,25             | 55:24           | 145:1          | 169:22         | 130:1              | 139:10             | 69:22               | 73:15    |
| 123:2,6               | 56:23           | 146:10         | 171:4          | 139:24             | 174:11,12          | <b>simple</b>       |          |
| 127:24                | 88:17           | 168:8          | 175:4          | 150:18             | 177:4              | 91:24               | 100:14   |
| 140:10                | 107:5           | <b>scorned</b> | <b>select</b>  | <b>sent</b>        | <b>shopping</b>    | <b>simply</b>       |          |
| 141:14                | 108:1           | 109:4          | 73:25          | 126:5              | 103:23             | 109:10              |          |
| 152:21                | 143:22          | <b>russell</b> | 79:4           | 160:19             | 104:1              | <b>short</b>        |          |
| 153:24                | 3:6             |                | 114:6          | 160:19             | <b>sentences</b>   | 136:11              |          |
| 155:15                | <b>S</b>        |                | 115:20         | 170:19             | 159:5              | 136:11              |          |
| 160:12                | <b>safe</b>     | 187:6          | 118:15         | 173:10             | <b>shorthaired</b> | 156:14,23           |          |
| 161:17,22             | 22:9,9,18       | 189:21         | 123:6          | 174:11,12          | 125:2              | 53:19               | 88:3     |
| 162:3,15              | <b>safety</b>   | 42:20          | 126:5          | 177:4              | 175:2              | 90:21               | 107:18   |
| 163:1                 | 157:23          | <b>seated</b>  | 130:1          | <b>sent</b>        | 17:13,14,15        | <b>sister</b>       |          |
| 169:7                 | 65:1            | 39:9           | 136:1          | <b>sentence</b>    | 18:5               | 28:11               | 30:3,14  |
| 172:17                | 124:16          | <b>second</b>  | 137:2          | 84:21              | 26:5               | 31:6                | 47:18    |
| 173:25                | <b>saturday</b> | 40:7           | 140:7          | 84:21              | 27:6               | 67:10,13,19         |          |
| 178:8                 | 27:8,17         | 43:6           | 146:2          | 85:5               | 28:2               | 67:20               | 133:8    |
| 180:4,22              | <b>saw</b>      | 53:23          | 148:2          | 110:15             | 29:2               | 133:14              | 134:5    |
| 181:6,11,18           | 18:8            | 58:3,9,17      | 149:11         | 136:11             | 30:2               | 150:1               | 163:20   |
| 182:5                 | 21:22           | 78:2,3,5       | 150:1          | <b>sequence</b>    | 142:4              | 164:2               | 167:7    |
| 189:3                 | 45:19           | 93:16,16,17    | 152:3          | 150:23             | 165:6              | 167:10              |          |
| <b>riveras</b>        | 46:11           | 94:11,15       | 158:25         | <b>sequential</b>  | 165:16             | <b>sisterinlaw</b>  |          |
| 73:23                 | 47:4            | 100:7          | 159:12         | 122:22             | 166:16             | 30:3                |          |
| 75:2                  | 48:3            | 131:9          | 168:5          | <b>serious</b>     | 169:16             | <b>sisters</b>      |          |
| 161:1                 | 49:3            | 141:24         | 182:23         | 97:25              | 171:3              | 28:11,12,14         |          |
| 177:23                | 51:2,4          | 151:3          | <b>seconds</b> | <b>seriousness</b> | 172:15             | 131:2,4             |          |
| 182:3,20              | 53:24           | 158:25         | 54:14          | 97:25              | 187:6              | 148:22              |          |
| <b>roberto</b>        | 54:3            | 159:12         | 58:9           | <b>serve</b>       | 188:1              | 149:22,25           |          |
| 168:9                 | 56:21           | 168:5          | 54:14          | 46:21              | 187:6              | <b>sit</b>          |          |
| <b>rocco</b>          | 58:17           | 182:23         | 58:9           | 48:2               | 187:6              | 14:5                | 17:11    |
| 3:8                   | 59:15           | <b>see</b>     | 58:14          | 50:1               | 188:1              | 18:3,14             |          |
| <b>rock</b>           | 60:18           | 17:2           | 59:18          | 52:1               | 189:13             | 28:17               | 71:24    |
| 3:19                  | 61:2            | 18:22          | 60:1           | 53:16              | <b>sitting</b>     | 37:17               | 77:19    |
| <b>rockfuscoco...</b> | 65:2            | 33:23          | 61:18          | 61:18              | 89:13              | 138:15              |          |
| 3:25                  | 65:18           | 34:18          | 62:19          | 62:19              | <b>situation</b>   | 163:13              |          |
| <b>rodriguez</b>      | 66:1            | 37:22          | 63:6           | 63:16              | <b>six</b>         | 166:20              |          |
| 168:3                 | 67:21           | 39:6           | 64:1           | 64:16              | <b>size</b>        | 136:18,18           |          |
| 176:9                 | 68:1            | 41:16          | 65:7           | 65:16              | <b>skin</b>        | 74:8                |          |
| <b>roll</b>           | 88:10,12,21     | 43:18          | 66:19          | 66:23              | <b>skinned</b>     | 74:9                | 76:24,25 |
| 149:9                 | 89:5            | 45:7,22        | 67:24          | 67:5               | 77:1               | 77:1                |          |
| <b>room</b>           | 90:9            | 46:18,19,22    | 68:9           | 68:13              | <b>skipped</b>     | 61:11               |          |
| 82:1,2,3              | 93:4            | 46:24          | 69:9           | 69:17              | <b>slid</b>        | 51:6                |          |
| 83:17                 | 100:13          | 47:9           | 70:22          | 70:22              | <b>slow</b>        | 12:11               |          |
| 99:10                 | 105:13,17,17    | 51:24          | 71:22          | 71:22              | <b>solution</b>    | 33:18               |          |
| 100:13                | 107:20,21       | 52:18          | 72:10          | 72:10              | 65:7,8             | 33:3                |          |
| 124:16                | 108:1,11,18     | 54:8,19,21     | 73:10          | 73:10              | <b>solved</b>      | 33:3                |          |
| 137:3                 | 109:13          | 56:15,25       | 74:1           | 74:1               |                    |                     |          |
| <b>rosen</b>          | 134:15          | 57:2,10,23     | 75:1           |                    |                    |                     |          |
| 3:20                  | 138:19          | 57:24          | 75:1           |                    |                    |                     |          |
| 5:10                  | 138:19          | 58:9           | 76:1           |                    |                    |                     |          |
| 10:13,13              | 141:22          | 58:13          | 77:1           |                    |                    |                     |          |
| 24:21                 | 144:6           | 59:17          | 78:1           |                    |                    |                     |          |
| 25:23                 | 144:7,8,14      | 66:19          | 79:1           |                    |                    |                     |          |
| 42:13,16              | 144:25          | 69:19          | 80:1           |                    |                    |                     |          |
| 52:9                  | 146:15,24       | 77:5,19        | 81:1           |                    |                    |                     |          |
| 57:23                 | 151:9           | 90:13          | 82:1           |                    |                    |                     |          |
| 81:22                 | 154:17          | 102:22         | 83:1           |                    |                    |                     |          |
| 100:11                | 166:22          | 107:13,19      | 84:1           |                    |                    |                     |          |
| 100:22                | 169:15          | 108:15         | 85:1           |                    |                    |                     |          |
| 111:14                | 178:2           | 109:7          | 86:1           |                    |                    |                     |          |
| 112:14                | 178:9           | 111:7          | 87:1           |                    |                    |                     |          |
| 116:10                | <b>saying</b>   | 115:16         | 88:1           |                    |                    |                     |          |
| 117:19                | 46:19           | 127:10         | 89:1           |                    |                    |                     |          |
|                       | 64:11           | 134:7          | 90:1           |                    |                    |                     |          |
|                       | 76:14           | 134:8,12,19    | 91:1           |                    |                    |                     |          |
|                       | 78:24           | 134:25         | 92:1           |                    |                    |                     |          |
|                       | 86:4,6          | 138:3,24       | 93:10          |                    |                    |                     |          |
|                       | 93:24           | 140:22,25      | 105:1          |                    |                    |                     |          |
|                       | 96:21           | 147:24         | 109:13         |                    |                    |                     |          |

|                     |                   |                   |                     |                   |                    |
|---------------------|-------------------|-------------------|---------------------|-------------------|--------------------|
| 101:10              | 51:19             | 13:19 50:22       | <b>suite</b>        | 163:23            | <b>telling</b>     |
| <b>somebody</b>     | <b>ss</b>         | 100:18 106:3      | 1:20 2:17 3:12      | 63:19,24 64:25    | 64:12 67:10,16     |
| 46:15 58:23         | 186:3             | 179:19            | 3:22                | 95:20 128:6       | 79:5 83:11         |
| 59:1 71:24          | <b>stairs</b>     | <b>stopped</b>    | <b>suits</b>        | 128:6 131:3       | 86:20 93:20        |
| 87:24 101:4         | 50:25             | 78:23             | 136:25              | 94:17 97:9        |                    |
| 104:14 111:1        | <b>stake</b>      | <b>store</b>      | <b>summary</b>      | 158:22            | 97:10 137:7        |
| 167:23              | 114:11            | 46:5,14,14,14     | 101:13              | 169:21            | 137:10 140:8       |
| <b>somebodys</b>    | <b>stamp</b>      | 47:7,8 48:2       | <b>supposed</b>     | 12:5,9,17         | 148:2 150:16       |
| 172:9               | 140:21            | 49:5,11,22        | <b>sure</b>         | 26:18 37:4        | 165:23 181:2       |
| <b>someplace</b>    | <b>stand</b>      | 50:22,24          | 12:7 21:23,25       | 64:18,23          | <b>ten</b>         |
| 67:6                | 88:23 115:20      | 51:2,12,16        | 22:3 45:24          | 72:5 76:4         | 19:16 159:6        |
| <b>somewhat</b>     | <b>standing</b>   | 51:18 54:3        | 61:7,8,9            | 78:5 93:17        | <b>terms</b>       |
| 69:14,15            | 58:2,5 108:9      | 105:11,12,16      | 64:16,20            | 93:18 101:1       | 64:17 88:19        |
| <b>son</b>          | 108:13            | 105:19,20         | 66:19 73:5,6        | 103:9,10          | 95:23              |
| 21:21,23 24:12      | <b>starbucks</b>  | 107:7,7           | 74:14,14            | 104:8 106:22      | <b>territorial</b> |
| 89:23 103:25        | 104:8             | 143:9,17          | 75:6,6 83:12        | 136:22            | 22:13              |
| 149:19              | <b>start</b>      | 86:2 94:2,7,9     | 83:16 113:8         | 144:17            | <b>territory</b>   |
| <b>sorry</b>        | 12:8,13 131:11    | 97:7,11           | 122:18              | 150:21            | 22:10 62:6         |
| 24:24 30:8          | <b>started</b>    | 101:2 102:4       | 123:11              | 155:11            | 129:19 170:4       |
| 35:19 39:11         | 48:5 60:17,24     | 109:2,2           | 125:22 126:3        | 170:16,24         |                    |
| 42:18 81:23         | 61:1 78:21        | 114:12            | 126:18              | <b>test</b>       |                    |
| 84:20 127:4         | 93:20 104:8       | 127:25            | 135:19 140:1        | 44:4              |                    |
| 144:10              | 123:19            | <b>straight</b>   | 151:20 156:1        | <b>testified</b>  |                    |
| 159:18              | 142:17,18         | 50:23 86:2        | 160:21,23           | 65:24 77:25       |                    |
| 175:21              | <b>starting</b>   | 115:22            | 165:9 172:2         | 84:19,23          |                    |
| 176:15              | 152:5             | 143:15            | 172:23,23           | 124:21 161:1,5    |                    |
| <b>sort</b>         | <b>state</b>      | 150:22            | 175:20              | <b>team</b>       |                    |
| 122:12,21           | 10:6 153:3        | 162:13            | <b>surrounding</b>  | 96:1 112:15       |                    |
| 150:23              | 164:8,9           | <b>streamline</b> | 184:2               | 112:19            |                    |
| 152:13 170:7        | 175:7 179:20      | 119:24            | <b>surroundings</b> | 122:23 125:5      |                    |
| <b>sotos</b>        | 186:2,7           | <b>street</b>     | 11:3 12:25          | 136:2 139:11      |                    |
| 3:9                 | 187:15            | 1:20 2:16 3:21    | 13:21 16:23         | 142:4 143:5       |                    |
| <b>sound</b>        | 188:10            | 4:5 29:9          | 11:16               | 155:3 157:6       |                    |
| 43:23 51:3          | 189:15            | 32:9,16           | <b>suspect</b>      | 157:9 161:21      |                    |
| 169:9               | <b>stated</b>     | 33:19,23          | 71:17 111:7         | 162:3,5,11        |                    |
| <b>sounded</b>      | 106:25            | 35:9 36:5,6       | <b>swaminathan</b>  | 20:24 21:3        |                    |
| 43:23 65:20         | <b>statement</b>  | 36:9,10 37:6      | 21:11 22:20         | 174:10            |                    |
| <b>south</b>        | 106:12 188:13     | 37:11 42:6        | 23:9,23 25:7        | 175:11            |                    |
| 35:1,3 36:24        | 188:14            | 49:14 57:13       | 26:20 28:5          | 179:17 182:4      |                    |
| 47:3 61:14          | 189:19,19         | 88:20,24,25       | 28:22 29:25         | 184:3             |                    |
| 62:3,15 89:3        | <b>statements</b> | 89:7 129:24       | 30:7,25             | <b>testify</b>    |                    |
| 170:3               | 14:21 15:19       | 136:1,3           | 31:18 36:22         | 13:22 14:22       |                    |
| <b>southeast</b>    | <b>states</b>     | 143:23 144:6      | 37:13,17,18         | 15:23 16:21       |                    |
| 143:21              | 1:1 153:9         | 165:2,4           | <b>sworn</b>        | 101:17            |                    |
| <b>spanish</b>      | 165:1             | 167:20 170:7      | 10:23 14:21         | 38:3,9 40:3       |                    |
| 132:23              | <b>station</b>    | <b>streets</b>    | 174:5 186:10        | 112:21            |                    |
| <b>sparks</b>       | 18:16,21 19:2     | 89:14             | 188:10,13           | 124:11            |                    |
| 3:5                 | 80:23,23          | <b>strike</b>     | 189:14,18           | 163:17            |                    |
| <b>spaulding</b>    | 83:21 94:15       | 108:16 116:17     | 190:21              | 186:10            |                    |
| 32:18 34:6,10       | 98:8,9,16         | <b>stuck</b>      | <b>system</b>       | <b>testifying</b> |                    |
| 36:7,8 47:3         | 177:24            | 22:17 94:7        | 49:24,25            | 162:16 173:15     |                    |
| 47:3,4 62:3         | 178:15            | 108:7 115:24      | 50:1 51:16          |                   |                    |
| 62:15 106:2         | 181:17            | 139:1,25          | 53:23 54:3          |                   |                    |
| 109:15              | <b>stay</b>       | 166:20            | 54:22 55:5          |                   |                    |
| 170:13 184:9        | 118:9             | <b>stuff</b>      | 55:13 56:20         |                   |                    |
| <b>speak</b>        | <b>stayed</b>     | 21:15,18 26:13    | <b>table</b>        | 59:18 60:6        |                    |
| 55:9 123:5          | 145:19 166:3      | 27:8 31:15        | 69:12,21 72:3       | 60:12 61:20       |                    |
| <b>speaking</b>     | <b>staying</b>    | 55:9 80:2,6       | <b>tail</b>         | 62:19 65:2        |                    |
| 87:11 179:19        | 131:19 133:19     | 84:14 96:24       | 89:25               | 65:15,21          |                    |
| <b>specific</b>     | <b>stenotypy</b>  | 105:4 111:8       | <b>take</b>         | 66:16 70:3        |                    |
| 150:8               | 186:14            | 113:16 114:4      | 12:16 13:10,13      | 70:16 72:12       |                    |
| <b>specifically</b> | <b>step</b>       | 123:9 141:10      | 15:2 25:18          | 72:12 74:16       |                    |
| 183:25              | 19:6              | 150:16            | 49:19 59:4          | 78:10 79:8        |                    |
| <b>specified</b>    | <b>stepdad</b>    | 159:14            | 61:13 72:8          | 80:15 81:24       |                    |
| 186:21              | 28:13             | 164:17            | 82:4 88:5,19        | 82:4 88:5,19      |                    |
| <b>speculation</b>  | <b>stepfather</b> | 167:12            | 92:14 96:16         | 137:18,21         |                    |
| 118:22              | 28:10 131:2       | <b>style</b>      | 96:18 98:5          | 138:17,17         |                    |
| <b>speech</b>       | <b>steph</b>      | 73:15 89:25       | 98:17 99:15         | 96:18 99:15       |                    |
| 12:11               | 160:3             | 90:6              | 100:19 102:2        | 178:19            |                    |
| <b>spell</b>        | <b>stephanie</b>  | <b>subpoena</b>   | 103:5,7,8           | 179:17,23,25      |                    |
| 11:4                | 4:4 10:17         | 127:5             | 105:3,9,14          | 180:24            |                    |
| <b>spend</b>        | 35:17 127:5       | <b>subscribed</b> | 105:24 106:5        | 186:13,17         |                    |
| 29:3,4,11 32:1      | 160:4,23          | 188:10 189:14     | 106:10,18           | 188:6,7           |                    |
| 133:23              | 174:22            | 190:21            | 108:17              | 189:6,9,12        |                    |
| <b>spent</b>        | 176:15            | <b>substance</b>  | 109:12,15,20        | <b>thank</b>      |                    |
| 83:20 133:21        | <b>steve</b>      | 79:18             | 110:2,6,25          | 20:9 22:1 26:2    |                    |
| <b>spoke</b>        | 3:4               | <b>sued</b>       | 111:4,17            | 44:7 53:21        |                    |
| 104:19 144:1        | 72:25 85:19,22    | 169:6             | 119:5,7             |                   |                    |
| 149:11,12           | 94:1 97:11        | <b>suggest</b>    | 127:19,22           | 175:24            |                    |
| 160:6               | <b>stick</b>      | 64:9 86:4         | 128:2 136:8         | 183:14            |                    |
| <b>spoken</b>       | <b>sticking</b>   | 103:14            | 137:6,12            | <b>thanks</b>     |                    |
| 14:15 122:24        | 102:4             | <b>suing</b>      | 139:15              | 42:19 168:25      |                    |
| 123:1               | <b>stipulate</b>  | 163:16            | 141:25 149:3        |                   |                    |
| <b>spot</b>         | 184:15            | <b>suit</b>       | 150:23              | <b>thats</b>      |                    |
| 45:7 50:19          | <b>stop</b>       | 129:5             | 151:22              | 17:2 20:14        |                    |
|                     |                   |                   | 154:17              | 23:12 27:10       |                    |
|                     |                   |                   | 155:20              | 28:21,22          |                    |
|                     |                   |                   | 158:17 159:7        | 29:16 32:24       |                    |
|                     |                   |                   | 163:7 165:16        | 33:25 34:9        |                    |
|                     |                   |                   | 173:19,19           | 34:10,16,19       |                    |
|                     |                   |                   | 174:5 175:19        | 35:3 37:16        |                    |
|                     |                   |                   |                     | 38:1 40:10        |                    |
|                     |                   |                   |                     | 41:13 44:3        |                    |

|               |                  |                  |                      |                     |
|---------------|------------------|------------------|----------------------|---------------------|
| 46:3 47:4     | 160:15           | 112:22           | 34:18 35:22          | 30:15,21,23         |
| 49:15,24      | 166:20,21        | 118:14           | 116:21               | 47:19 62:12         |
| 50:4,19 51:5  | 181:2            | 119:17 122:2     | <b>twice</b>         | 142:21              |
| 51:9 53:8,18  | <b>think</b>     | 123:8,12         | 18:19,21 19:3        | 148:20,24           |
| 55:9 58:20    | 26:14 33:2       | 124:10,16        | 46:21 181:9          | 149:23              |
| 60:24 61:17   | 49:8 70:18       | 131:15,17        | <b>twisted</b>       | 169:16 182:6        |
| 61:25 62:21   | 81:1 87:15       | 132:22           | 115:21               | <b>valentins</b>    |
| 64:22 65:12   | 95:7,8,17,19     | 133:23,23        | 18:25 19:3           | 29:21 31:8          |
| 67:11,12,13   | 96:5 98:3        | 134:16 135:5     | 28:10 58:22          | <b>vanessa</b>      |
| 67:17,25      | 119:16 124:6     | 135:25           | 61:2 69:21           | 150:1               |
| 68:1,19,23    | 124:12           | 137:20 140:1     | 70:19,19             | <b>varied</b>       |
| 68:24 69:12   | 126:13,15,16     | 140:10 141:7     | 72:12 78:1           | 29:17               |
| 70:25 71:18   | 134:10           | 143:7 144:2      | 80:8 98:20           | <b>various</b>      |
| 73:1 74:10    | 140:13 153:9     | 144:14,17        | 102:6,11,22          | 173:12              |
| 76:12,14      | 153:20,22        | 147:3 149:6      | 103:9,11,21          | <b>veritext</b>     |
| 77:21 81:11   | 157:10 166:8     | 149:10           | 126:16 131:7         | 190:1               |
| 85:18 86:10   | 166:9,15         | 156:15,21,23     | 131:14               | <b>version</b>      |
| 86:15 89:13   | 168:11,12        | 159:24 160:7     | 164:25 178:2         | 140:23              |
| 89:25 92:4,6  | 184:14           | 160:10 161:2     | 179:18               | <b>versus</b>       |
| 92:18 95:20   | <b>thinking</b>  | 161:11,12,15     | <b>two way</b>       | 10:4 29:11          |
| 95:20 96:13   | 50:19 101:5,9    | 161:23 162:6     | 82:7                 | 175:7               |
| 97:15 98:24   | 112:2 163:14     | 162:7,8,20       | <b>type</b>          | <b>vicinity</b>     |
| 98:25 99:2    | <b>thinks</b>    | 168:22           | 33:22 125:14         | 36:20 85:7          |
| 104:18 106:6  | 152:17,19        | 172:13,25        | 125:15               | <b>video</b>        |
| 107:23 108:6  | <b>third</b>     | 173:2 174:9      | 135:17 146:3         | 7:1                 |
| 109:1 110:7   | 91:8             | 177:22           | 156:4                | <b>videographer</b> |
| 111:16,21     | <b>thought</b>   | 179:10,18        | 125:16 151:10        | 4:10 10:1,19        |
| 113:11,24,25  | 87:16 94:4       | 180:19,25        | <b>typical</b>       | 43:10 45:17         |
| 115:6,17,19   | 128:11           | 183:11           | 157:16               | 49:18 53:13         |
| 116:17        | 155:16           | 186:20           | <b>U</b>             | 59:6,11             |
| 117:11 119:1  | 163:17           | <b>timeframe</b> | 92:22 93:1           |                     |
| 119:2 123:19  | <b>three</b>     | 129:17,20        | <b>uhuh</b>          | 110:18,22           |
| 129:1,9       | 69:22 98:21      | 132:3,4          | 12:1 34:22           | 120:4 122:1         |
| 135:6,14      | 119:6 126:16     | <b>times</b>     | 135:21               | 134:25              |
| 136:14        | 126:16 131:4     | 18:25 19:3       | 173:11 160:9         | 168:21              |
| 137:16        | 132:7 164:11     | 23:9 58:23       | <b>uhoh</b>          | 175:21,24           |
| 138:10 139:3  | <b>threw</b>     | 115:13           | 182:22               | 183:5,10            |
| 139:17,23     | 34:9             | 143:22           | <b>ultimately</b>    | 184:21              |
| 142:3,10,12   | <b>throw</b>     | 150:24 159:1     | 128:11 172:14        | <b>videotaped</b>   |
| 146:2,10,22   | 31:14 82:22      | 159:5 162:4      | 173:6                | 1:15 10:3           |
| 146:23 149:7  | 90:18 92:14      | 166:6,9,16       | <b>umbrella</b>      | <b>view</b>         |
| 149:9 152:20  | <b>throwing</b>  | 171:4 172:22     | 128:25 129:10        | 18:18               |
| 153:14,24     | 91:9 92:11       | 173:12           | unannounced          | viewed              |
| 159:20 161:8  | 93:5             | 177:15,18        | 158:16 169:11        | 177:24 178:15       |
| 163:12,24     | <b>thumb</b>     | <b>today</b>     | <b>trimmed</b>       | <b>villafane</b>    |
| 165:7,11      | 91:7             | 13:22 14:9       | 76:18,18             | 167:15              |
| 166:9,23,23   | <b>tightknit</b> | 15:23,25         | <b>tripping</b>      | <b>visible</b>      |
| 167:12        | 164:6            | 16:21 17:11      | 115:13               | 38:17,22            |
| 170:18 172:6  | 10:2 12:17       | 18:3,14 19:8     | <b>trouble</b>       | <b>vision</b>       |
| 178:5 183:19  | 13:14 15:12      | 77:25 112:19     | 145:5                | 108:2               |
| 184:15        | 17:15 21:10      | 122:8,14         | <b>true</b>          | <b>visit</b>        |
| <b>theirs</b> | 23:5 25:19       | 126:22           | 15:20 178:7          | 23:2,10,12          |
| 157:24,25     | 26:24 27:17      | 147:23           | 186:16               | 102:6 144:2         |
| <b>theres</b> | 29:1,3,4,7       | <b>told</b>      | <b>truth</b>         | 165:12,20           |
| 91:22 112:2   | 29:11,19         | 46:14 55:14      | 174:6 186:11         | <b>visited</b>      |
| 114:11 115:7  | 30:18 31:2       | 65:13,18,19      | 186:11,12            | 23:3,5 30:5         |
| 115:9 134:10  | 32:1 37:14       | 65:24 66:5       | 144:16 170:6         | <b>visiting</b>     |
| 155:24 164:5  | 39:24 41:17      | 67:24 68:4       | 175:20               | 102:11              |
| 175:2 178:11  | 46:5,20 47:4     | 70:24 71:1,5     | <b>understanding</b> | <b>vivid</b>        |
| <b>theyre</b> | 47:22 49:20      | 157:10           | 40:24 99:21          | 75:15               |
| 46:15 91:14   | 50:6,10          | 174:11           | <b>understood</b>    | <b>vividly</b>      |
| 97:9,10       | 51:23 53:23      | <b>told</b>      | 13:6 95:24           | 26:11 46:18         |
| 130:12,13     | 54:2,14 58:3     | 46:14 55:14      | 168:17               | 56:9 58:14          |
| <b>thick</b>  | 58:9,11,17       | 65:13,18,19      | <b>uniform</b>       | 90:12 99:3          |
| 69:22 70:6    | 58:18 59:7       | 65:24 66:5       | 64:2,5 74:18         | 108:25              |
| 171:20        | 59:22,25         | 67:24 68:4       | <b>uniformed</b>     | 139:24              |
| <b>thin</b>   | 60:2 61:6,9      | 70:24 71:1,5     | 63:25 65:25          | 155:24,25           |
| 136:16,17     | 61:16,17         | 153:24 154:9     | <b>united</b>        | <b>vs</b>           |
| <b>thing</b>  | 64:14 65:11      | 154:12,13        | 1:1                  | 1:9                 |
| 13:16 15:10   | 65:11,21         | 155:5 166:1      | 37:22 86:25          |                     |
| 22:2 49:9     | 66:3,10,11       | 169:22,24        | 87:17                | <b>W</b>            |
| 58:19 61:12   | 67:3,15 72:8     | 170:2 171:2      | <b>ups</b>           | <b>wabanasia</b>    |
| 62:16 64:8,9  | 74:8 75:20       | 172:19           | 78:1                 | 35:2                |
| 66:2 75:22    | 77:17,20         | 178:25 179:4     | <b>upset</b>         | <b>wait</b>         |
| 77:21 93:13   | 80:6,20 84:4     | 179:14 180:4     | 67:16 85:21          | 153:4 161:10        |
| 107:19,25     | 85:15,24         | 180:16,21,25     | 145:15               | <b>waiting</b>      |
| 132:23        | 86:13 88:17      | 181:1,21         | 47:21,25             | 104:16              |
| 137:25        | 89:11 93:2       | <b>toni</b>      | <b>use</b>           | <b>walk</b>         |
| 151:19        | 95:19 96:9       | 1:22 12:16       | 13:11 41:25          | 38:19 143:2         |
| 163:15,18     | 96:10 99:18      | 14:24 186:6      | 61:14 105:18         | <b>walked</b>       |
| 183:23        | 100:16 101:2     | 187:14           | 107:6 170:3          | 37:6,10,20,21       |
| <b>things</b> | 105:10           | <b>top</b>       | 170:12               | 38:18,22            |
| 88:8 109:19   | 107:12           | <b>turning</b>   | 51:4 107:1,2,8       | 68:15,18            |
| 115:21 136:1  | 108:11 109:9     | 51:4 107:1,2,8   | 17:13 18:5,17        | 117:3               |
| 148:10        | 109:25 111:7     |                  |                      |                     |
| 154:11,18,20  |                  |                  |                      |                     |
| 155:24,25     |                  |                  |                      |                     |

|                 |                    |                  |                  |                |                |
|-----------------|--------------------|------------------|------------------|----------------|----------------|
| <b>walking</b>  | 158:13             | 179:1,4,10       | 104:20 116:1     | 86:4,6,19      | 37:18 59:7,8   |
| 39:5 68:20,21   | 160:22             | 179:13 180:3     | 116:23,23        | 90:22 91:9     | 59:12,13       |
| 85:13 88:8      | 177:10             | 180:21 181:5     | 117:9,17,17      | 94:1 97:13     | 92:23,24       |
| 142:18 143:1    | <b>ways</b>        | <b>wide</b>      | 128:1 143:3      | 101:9 103:10   | 125:8 187:17   |
| <b>want</b>     | 98:2               | 89:14            | 158:17 179:2     | 103:17,17      | <b>122</b>     |
| 12:13,25 15:9   | <b>weapon</b>      | <b>wife</b>      | <b>wrote</b>     | 109:22         | 5:10           |
| 21:24 22:17     | 43:18              | 19:21 104:1      | 44:11 125:19     | 114:15         | <b>13</b>      |
| 25:12 32:5      | <b>wear</b>        | <b>willing</b>   | 154:16,19        | 122:18,20      | 20:7 173:22    |
| 33:4 34:14      | 62:20,22           | 127:16           | <b>X</b>         | 136:15         | 174:13         |
| 40:3 41:22      | <b>wearing</b>     | <b>window</b>    | <b>Y</b>         | 138:15         | <b>1301</b>    |
| 57:1 60:3       | 40:1 55:2          | 23:25 24:6,7     | <b>yall</b>      | 144:17         | 1:20           |
| 64:9 70:4       | 56:23 64:3         | 24:11 99:23      | 145:25           | 148:11,12      | <b>14</b>      |
| 71:13 72:17     | 65:20 89:24        | 134:7,13,13      | 149:8 161:5      | 20:7           | <b>140</b>     |
| 72:21,22,23     | 90:8 93:6          | 134:14           | 167:18           | 6:10           | <b>143</b>     |
| 72:23,24,25     | <b>wedding</b>     | <b>windows</b>   | <b>you've</b>    | 13:6 14:15,21  | 8:16           |
| 72:25 76:7,9    | 47:20 133:8        | 134:19           | 23:23 36:18      | 53:9 66:13     | <b>15</b>      |
| 76:13 79:9      | <b>week</b>        | <b>witness</b>   | 69:20 73:19      | 69:20 73:19    | 6:3 7:3 20:15  |
| 85:19,22        | 16:25 27:5         | 10:20 24:14      | 77:25 84:19      | 21:2 49:25     | 21:2 49:25     |
| 87:11,21        | 138:7              | 43:13 45:14      | 133:2 151:20     | 168:15         | <b>150</b>     |
| 91:12,13        | <b>weekend</b>     | 52:25 53:4       | 151:22           | 3:12 8:17      | <b>151</b>     |
| 92:7 97:22      | 27:13              | 53:11,17         | 154:13           | 6:11           | <b>152</b>     |
| 104:6 105:1     | <b>weeks</b>       | 54:9,9           | 169:10           | 8:18           | <b>154</b>     |
| 110:1,7,8       | 18:17              | 113:11           | <b>z</b>         | 8:19           | <b>154</b>     |
| 112:11 114:9    | <b>weingart</b>    | 119:21           | <b>zacharias</b> | 155            | <b>155</b>     |
| 114:13          | 3:6                | 144:11 186:9     | 3:5              | 8:20,21        | <b>159</b>     |
| 116:21 120:2    | <b>went</b>        | 186:14,15,18     | <b>0</b>         | 8:22           | <b>16</b>      |
| 122:12 129:4    | 18:16,21 19:1      | 187:5 188:1      | <b>00</b>        | 93:2,3         | <b>1669960</b> |
| 136:9 143:19    | 26:12 51:6         | 188:4,11         | <b>0093</b>      | 40:23          | 188:2 189:2    |
| 147:4,11        | 51:11,17           | 189:1,4,15       | <b>01</b>        | 59:7,8         | 190:2          |
| 149:20 150:5    | 59:21 61:2         | <b>witnessed</b> | <b>03</b>        | 1:18 10:2      | <b>169</b>     |
| 150:21          | 61:10,14           | 169:24           | <b>045062</b>    | 5:11           | <b>17</b>      |
| 151:19 154:7    | 62:3,14            | <b>witnesss</b>  | 52:2             | 20:7 25:9      | <b>173</b>     |
| 157:12,15,16    | 65:19 66:6         | 185:2            | <b>045067</b>    | 8:23           | <b>174</b>     |
| 157:21          | 67:3,14,18         | <b>wives</b>     | 48:9             | 6:12           | 6:12           |
| 158:24          | 72:20 73:8         | 163:11           | <b>045069</b>    | <b>176</b>     | <b>176</b>     |
| 162:14          | 84:3 86:1          | <b>woman</b>     | 44:13            | 8:24           | 8:24           |
| 174:22          | 97:21 98:4         | 56:19 102:13     | <b>1</b>         | 177            | <b>177</b>     |
| 183:14          | 98:13,24,24        | 102:14           | <b>1</b>         | 8:25           | <b>178</b>     |
| <b>wanted</b>   | 99:4 104:8         | 178:16 179:1     | <b>2</b>         | 9:1,2          | 9:1,2          |
| 16:18 21:23     | 104:20 107:1       | <b>women</b>     | <b>10</b>        | 9:3            | <b>179</b>     |
| 22:2 97:6       | 107:24             | 102:6,10,11,22   | 20:8 37:18       | 18:3           | <b>18</b>      |
| 98:2 118:16     | 110:10             | 103:9,11         | 49:25 168:15     | 30:19 59:12,13 |                |
| 126:3 127:24    | 123:18             | <b>word</b>      | 168:18,19        | 112:6 149:13   |                |
| 127:25 128:4    | 126:14 134:1       | 53:2 76:12       | <b>100</b>       | <b>180</b>     |                |
| 137:10,12       | 138:1 144:13       | 79:11 129:1      | 1:20 2:17 7:24   | 9:4,5          |                |
| 138:22 165:9    | 145:17,22,23       | 154:11,18        | 7:25 8:1         | <b>182</b>     |                |
| 172:2 181:23    | 150:17 162:8       | <b>words</b>     | 171:17           | 9:6            |                |
| <b>wants</b>    | 162:13             | 22:10,19 41:25   | <b>106</b>       | <b>186</b>     |                |
| 57:24 101:6,9   | 166:19 168:6       | 79:9,13,17       | 8:2              | 5:13           |                |
| 115:15,16       | 168:8 171:12       | 85:18 87:10      | <b>108</b>       | <b>19</b>      |                |
| <b>war</b>      | 171:24 172:7       | 115:22           | 8:3              | 21:10 113:9    |                |
| 132:23          | 181:6              | 117:15 144:5     | <b>109</b>       | 149:19         |                |
| <b>wasnt</b>    | <b>west</b>        | 147:7 156:5      | 8:4              | <b>1988</b>    |                |
| 86:18 103:22    | 26:22 28:6,16      | <b>wore</b>      | 11:1             | 17:13 18:7     |                |
| 106:22 110:7    | 32:7,11,11         | 76:22            | <b>110</b>       | 25:21 26:16    |                |
| 146:18          | 32:14 33:1         | <b>work</b>      | 27:1 152:4       | 128:21         |                |
| 155:23          | 33:22 34:4         | 13:23 24:4,16    | 152:15           | 129:16,20      |                |
| 179:14 180:4    | 35:3,11,13         | 25:2 95:13       | <b>111</b>       | 131:1 149:6    |                |
| 180:22 182:8    | 35:24 36:9         | <b>worked</b>    | 8:5,6            | 165:2 167:3    |                |
| <b>watched</b>  | 45:4 56:25         | 23:23 24:1       | <b>112</b>       | 169:15         |                |
| 46:3            | 184:2,5            | 25:2             | 8:7              | <b>1990</b>    |                |
| <b>watching</b> | <b>weve</b>        | <b>yellow</b>    | <b>115</b>       | 139:12 156:7   |                |
| 61:25           | 26:15 35:22        | 40:10 62:21      | 8:8,9            | 173:17,19      |                |
| <b>way</b>      | 127:10             | 63:4,7,7,9       | <b>116</b>       | 174:3 175:2    |                |
| 28:12 34:15     | 140:19             | 91:23 95:16      | 8:10             | 175:12 182:4   |                |
| 50:18,21        | <b>whatnot</b>     | 95:18            | <b>117</b>       | <b>1990s</b>   |                |
| 54:21 55:15     | 163:11             | <b>yesterday</b> | 8:11,12          | 21:5           |                |
| 57:2,7 60:22    | <b>whats</b>       | 47:1             | <b>118</b>       | <b>2</b>       |                |
| 62:23 68:19     | 36:5,9 41:7        | <b>yo</b>        | 8:13,14,15       | <b>2</b>       |                |
| 70:19 74:4,6    | 42:14 44:23        | 146:1,22         |                  |                |                |
| 85:10,19        | 48:20 52:15        | <b>youll</b>     |                  |                |                |
| 86:12,14,21     | 75:22 79:10        | 123:9            |                  |                |                |
| 86:21 88:9      | 87:7 103:13        | <b>written</b>   |                  |                |                |
| 97:3 101:11     | 108:23             | 53:9 154:20,25   |                  |                |                |
| 103:17,18       | 128:20             | 165:7            |                  |                |                |
| 110:10,10       | 164:14             | <b>wrong</b>     |                  |                |                |
| 112:12          | <b>whereof</b>     | 32:21 42:14      |                  |                |                |
| 113:25          | 187:5              | 87:7 93:19       |                  |                |                |
| 116:18          | <b>white</b>       | 93:21,21,24      |                  |                |                |
| 129:23          | 56:25 57:5,16      | 94:18,22         |                  |                |                |
| 135:15,16       | 95:15,16,17        | 95:3 96:13       |                  |                |                |
| 143:19          | 95:19 115:9        | 96:14,14,17      |                  |                |                |
| 148:17          | 158:16             | 96:19,19,22      |                  |                |                |
| 150:11          | 178:24             | 96:22,25         |                  |                |                |
| 154:24 156:7    | 180:10,16          | 97:1 98:6,7      |                  |                |                |
| 157:12          | <b>whitehaired</b> | 101:7 104:11     |                  |                |                |
|                 | 116:25 178:16      | 85:17,17,19      |                  |                |                |

|                   |                   |               |
|-------------------|-------------------|---------------|
| 5:3 122:2,3       | 6:9 52:3,5,12     | 7:14,15       |
| <b>20</b>         | 57:17 120:1       | <b>85</b>     |
| 21:10 44:14       | <b>36</b>         | 7:16          |
| 48:11 52:13       | 6:10 120:5        | <b>86</b>     |
| 188:16            | 121:1 140:13      | 7:17          |
| 189:22            | 140:15,20         | <b>87</b>     |
| 190:22            | <b>37</b>         | 7:18,19,20    |
| <b>2010</b>       | 6:11 25:11        | <b>89</b>     |
| 15:17 125:9       | 50:16 151:13      | 128:21 129:17 |
| 181:22            | 151:17            | 129:20        |
| <b>2011</b>       | <b>375</b>        | <b>9</b>      |
| 16:3,16 17:8      | 2:7               | <b>90</b>     |
| 114:25            | <b>38</b>         | 7:21          |
| <b>2013</b>       | 6:12 174:16,18    | <b>90s</b>    |
| 1:17 10:3         | <b>4</b>          | 21:6,7        |
| 187:8 188:3       | <b>40</b>         | <b>93</b>     |
| 189:3             | 120:2             | 111:23 112:5  |
| <b>2015</b>       | <b>41</b>         | <b>94</b>     |
| 187:17            | 6:6               | 7:22          |
| <b>21</b>         | <b>42</b>         | <b>96</b>     |
| 110:19,20         | <b>43215</b>      | <b>9th</b>    |
| <b>2200</b>       | 7:7 183:6,7       | 1:20          |
| 3:22              | <b>44</b>         |               |
| <b>2216</b>       | 4:6               |               |
| 118:1             | <b>44</b>         |               |
| <b>23</b>         | 6:7               |               |
| 16:3 17:8         | <b>4428</b>       |               |
| 114:25            | 1:9               |               |
| <b>25</b>         | <b>45084</b>      |               |
| 7:4               | 140:24            |               |
| <b>27</b>         | <b>48</b>         |               |
| 17:13 18:7        | 6:8               |               |
| 25:20,25          | <b>5</b>          |               |
| 26:16 110:23      | <b>5</b>          |               |
| 110:24            | 25:9 175:2        |               |
| 169:15            | 188:3 189:3       |               |
| <b>29</b>         | <b>52</b>         |               |
| 1:17 6:3 10:3     | 6:9 183:11,12     |               |
| 15:2,5,13,19      | <b>53</b>         |               |
| 15:24 125:9       | 92:23,24          |               |
| 168:22,23         | <b>54</b>         |               |
| 188:3 189:3       | 184:22,24         |               |
| <b>3</b>          | <b>550</b>        |               |
| <b>3</b>          | 3:11              |               |
| 37:18 112:5       | <b>6</b>          |               |
| 168:18,19,22      | 5:5               |               |
| 168:23 183:6      | <b>60143</b>      |               |
| 183:7,11,12       | 3:13              |               |
| 184:22,24         | <b>60607</b>      |               |
| <b>30</b>         | 2:18              |               |
| 6:4 16:4,6,14     | <b>60611</b>      |               |
| 17:2 89:17        | 2:8               |               |
| 111:22            | <b>60654</b>      |               |
| 137:19            | 3:23              |               |
| <b>31</b>         | <b>610</b>        |               |
| 6:5 7:5,6         | 3:13              |               |
| 33:13,18          | <b>6144495993</b> |               |
| 35:21 184:1       | 4:7               |               |
| <b>312</b>        | <b>62</b>         |               |
| 2:16              | 52:9 116:9,21     |               |
| <b>3122435900</b> | <b>6307353300</b> |               |
| 2:19              | 3:14              |               |
| <b>3124941000</b> | <b>66</b>         |               |
| 3:24              | 7:8               |               |
| <b>3125030844</b> | <b>7</b>          |               |
| 2:9               | <b>71</b>         |               |
| <b>32</b>         | 7:9               |               |
| 6:6 40:17 41:2    | <b>76</b>         |               |
| 41:8              | 25:9              |               |
| <b>321</b>        | <b>79</b>         |               |
| 3:21              | 7:10              |               |
| <b>33</b>         | <b>8</b>          |               |
| 6:5,7 44:10,18    | <b>82</b>         |               |
| 45:11             | 7:11              |               |
| <b>3320</b>       | <b>83</b>         |               |
| 26:22 28:6,16     | 7:12,13           |               |
| 32:6,14           | <b>84</b>         |               |
| 33:22 37:6        |                   |               |
| 45:4 184:2,5      |                   |               |
| 184:9,13          |                   |               |
| <b>34</b>         |                   |               |
| 6:8 48:10,14      |                   |               |
| 48:19 49:10       |                   |               |
| <b>35</b>         |                   |               |